

# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 4, 1983, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Bill Sidorvich, Big Valley Grace Community Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 7, 8, 9

ACTION: (Bright/Siefkin, 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 Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council.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 28, 1982, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

HEARINGS

3. Hearing on amendment to P-D(320), located at 3700 McHenry Avenue to allow establishment of a family amusement machine center in a portion of McHenry Bowl. (McHenry Bowl)

ACTION: By motion (Patterson/Siefkin, majority, Elliott-no) Ord. No. 2166-C.S. introduced. Res. 83-1 adopted (same vote) approving conditions and certifying review of Environmental Assessment. (Clerk/Planning to handle)

4. Hearing on amendment to Sections 4-3-9 and 9-3-9 of the Zoning Map to rezone from R-1 to H-1, property located at the northeast corner of McHenry Avenue and Coralwood Road. (Sidney Smith)

ACTION: By motion (Muratore/Lang, unan.) Ord. No. 2167-C.S. introduced. Res. 83-2 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

BIDS

CONSENT

5. Consider waiving formal bid procedures and authorize the purchase of traffic signal parts from Econolite Corporation for \$7,268. (Requested by the Public Works Electrical Division, the parts will be used to repair Econolite traffic signals located throughout the City. Econolite Corporation is the sole source for the parts. Resolution waiving formal bid procedures and authorizing purchase of traffic signal parts from Econolite Corp. needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 83-3 adopted waiving formal bid procedures. (Finance to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

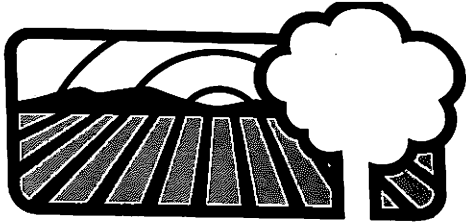
NEW BUSINESS

CONSENT

7. Consider amending Code to authorize a sewer parcel inspection fee and adopting a resolution which establishes the fee. (Resolution setting public hearing on January 18, 1983, at 4:00 p.m. needed.)

ACTION: Res. 83-4 adopted setting hearing. (Clerk to handle)





# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 11, 1983, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: John Britton, Lay Elder, Big Valley Grace Community Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, <sup>3</sup>5, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26

ACTION: Bright/Siefkin, 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 4, 1983, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Report on Fundraising Policy, after a year's experience of permitting non-profit groups to have fundraising activities in Beyer, Davis, Downey and Beard Brook Parks. (The staff recommends the policy adopted by the Council one year ago be continued. Memo with agenda. Motion approving recommendation needed.)

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

4. Final adoption of Ord. No. 2166-C.S., amending P-D(320) to allow establishment of a family amusement machine center in a portion of McHenry Bowl at 3700 McHenry Avenue. (Motion approving needed.)

ACTION: By motion (Lang/Bright, majority, Elliott-no) Ord. No. 2166-C.S. adopted. (Clerk to handle)

CONSENT

5. Final adoption of:

- a. Ord. No. 2165-C.S. amending the Municipal Code relating to municipal golf courses.  
b. Ord. No. 2167-C.S., rezoning from R-1 to H-1, property located at the northeast corner of McHenry Avenue and Coralwood Road. (Sidney Smith)

(Motion approving needed.)

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

HEARINGS

6. Hearing to consider increasing sign permit fees.

ACTION: Res. 83-8 adopted (Muratore/Bright, unan.) increasing fees.

7. Hearing to consider amending Zoning Regulations to allow secondhand merchandise sales in C-1 Zone.

ACTION: By motion (Lang/Elliott, unan.) Ord. No. 2168-C.S. introduced. (Clerk to handle)  
Res. 83-8A adopted (same vote) certifying review of environmental assessment.

BIDS

CONSENT

8. Consider approval of plans and specifications and call for bids for Sunrise and Briggsmore landscaping and irrigation. (Suggested bid opening: February 1, 1983, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$19,697.28 (Contract \$18,697.28; engineering \$1,000); funds are budgeted.)

ACTION: Res. 83-9 adopted calling for bids. (P.W. to handle)

CONSENT

9. Consider award of contract for the installation of automatic sliding doors at the entrance to City Hall.  
(Bids were opened on January 4, 1983. The low bid of \$19,695, submitted by Acme Glass Co., is 8% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Acme Glass Co. needed. Funds are budgeted.)

ACTION: Res. 83-10 adopted awarding contract.

(P.W. to handle)

CONSENT

10. Consider award of contract for Project No. 13 - replacement of curbs, drive aprons and sidewalks at various locations.  
(Bids were opened on January 4, 1983. The low bid of \$31,900, submitted by Dee Burton Concrete Contractor, is 21% below the engineer's estimate and considered acceptable. It is therefore recommended that the contract be awarded to him. Resolution awarding contract to Dee Burton Concrete Contractor needed. Estimated cost: \$36,400 (contract \$31,900; engineering \$4,500); funds are budgeted.)

ACTION: Res. 83-11 adopted awarding contract.

(P.W. to handle)

CONSENT

11. Consider approving substitution of M-D Electric Company as the electrical subcontractor for the construction of Muncy Park utility building - LWCF 06-00735, as requested by the prime contractor, B & L Builders.  
(The prime contractor states the reason for the substitution is that the listed electrical subcontractor, Wallace Electric, has gone bankrupt. Wallace Electric has been notified of the proposed substitution of M-D Electric (letter with agenda), in conformance with the Government Code, and has not submitted written objection to the substitution. Resolution approving substitution of M-D Electric Company for Wallace Electric Company needed.)

ACTION: Res. 83-12 adopted approving substitution.

(P.W. to handle)

CONSENT

12. Consider declaring 715 parking meters and assorted parts surplus to City needs and authorize the Purchasing Officer to sell the meters by sealed bid.  
(The parking meters were removed from the downtown area in 1979 as a result of Ordinance No. 1841-C.S. amending the Parking Meter Zoning Map. Other than retaining a few of the meters for maintenance purposes, the City has no further use for the meters. Attempts will be made by staff to sell the meters to another public agency. A report of the sale will be made to the City Manager. Resolution declaring parkings meters and assorted parts surplus to City needs and authorizing the Purchasing Officer to sell by sealed bid needed.)

ACTION: Res. 83-13 adopted declaring parts surplus and authorizing sale by sealed bid.  
(Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

13. Letter from Francis R. Ruggieri, on behalf of Rudy Bonzi, Inc., concerning renewal of license for the collection of industrial garbage and swill and/or salvageable waste.  
(Resolution setting hearing January 25, 1983, at 7:30 p.m. needed.)

ACTION: Res. 83-14 adopted setting hearing. (Clerk to handle)

CONSENT

14. Letter from Francis R. Ruggieri, on behalf of Bertolotti Disposal, Inc., concerning renewal of license for the collection of garbage.  
(Resolution setting hearing January 25, 1983, at 7:30 p.m. needed.)

ACTION: Res. 83-15 adopted setting hearing. (Clerk to handle)

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

None

NEW BUSINESS

CONSENT

16. Consider approving pre-application for federal funding to complete and equip Modesto's Emergency Operation Center.  
(Project to be financed from available Revenue Sharing funds. Authorizing appropriation to be requested as part of the Mid-Year Budget adjustment. Memo with agenda. Resolution authorizing City Manager to sign pre-application needed. Estimated cost: \$21,600; funds to be budgeted.)

ACTION: Res. 83-16 adopted approving pre-application. (Fire to handle)

CONSENT

17. Consider approval of the pre-application for federal grant for Modesto City-County Airport/Harry Sham Field general aviation parking area.  
(Approximately 150,000 square feet of existing oil dirt surface in the general aviation parking area needs reconstruction due to ponding and drainage problems. This project is eligible for federal funding. Memo with agenda. Resolution approving pre-application needed. Estimated cost: \$190,000; funds are budgeted.)

ACTION: Res. 83-17 adopted approving pre-application for aviation parking area.  
(P.W. to handle)

CONSENT

18. Consider the following:

- a. Withdrawing Scenic-Oakdale No. 3 Annexation from the McHenry-Dry Creek Fire Protection District.
- b. Setting public hearing March 1, 1983, at 4:00 p.m. to consider determining that the public interest and convenience require Scenic-Oakdale No. 3 Annexation be annexed to Modesto Municipal Sewer District No. 1.

(The Scenic-Oakdale No. 3 Annexation became effective on December 30, 1982. Resolution withdrawing from fire district needed, and resolution setting hearing needed.) (Five affirmative votes needed.)

ACTION: Res. 83-18 adopted withdrawing from the McHenry-Dry Creek Fire Protection District.  
Res. 83-19 adopted setting hearing. (Clerk to handle)

CONSENT

19. Consider LAFCO Questionnaire concerning the proposed Sherwood Forest Annexation. (This proposed annexation includes the remaining portion of the County island located east of McHenry Avenue and north of E. Rumble Road. It contains 49.9 acres and includes 126 single-family dwellings. Memo, maps and questionnaire with agenda. Resolution responding favorably to proposed annexation needed.)

ACTION: Res. 83-20 adopted responding favorably to proposed annexation. (Planning to handle)

CONSENT

20. Consider resolution providing for the issuance of \$459,116.08 principal amount of improvement bonds for the City of Modesto, Improvement District No. 24. (The time period allowing for cash payment of the assessment has lapsed. It is now time to sell bonds to cover the unpaid assessment. Resolution providing for the issuance of \$459,116.08 principal amount of improvement bonds, City of Modesto, Improvement District No. 24 needed.)

ACTION: Res. 83-21 adopted providing for the issuance of improvement bonds. (P.W. to handle)

CONSENT

21. Consider approval of Airport Emergency Operational Letter of Agreement between the City of Modesto and the Federal Aviation Administration. (The Emergency Operational Letter of Agreement has been revised and updated. Memo with agenda. Resolution approving letter agreement needed.)

ACTION: Res. 83-22 adopted approving letter agreement. (P.W. to handle)

CONSENT

22. Consider approving agreement with William L. Main, Inc. dba: Security Transport, for their operation at the Airport as an air taxi.  
(This is a new agreement with Security Transport superseding the old agreement. The purpose of the new agreement is to raise the landing fees for air taxi and to update language in our agreements to conform to FAA requirements. This is a month-to-month agreement. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 83-23 adopted approving agreement.

(P.W. to handle)

CONSENT

23. Consider approving lease agreement with Carolyn Genung for the lease of the Acme Cleaners Store at 1815 H Street.  
(This is a month-to-month agreement with the tenant paying the City \$200 per month, paying taxes and maintaining the property. The tenant will also fix the roof and maintain it in return for free rent for two months. The lease is to start January 12, 1983, so the old lease needs to be terminated also, at the request of the former tenants, Russell and Jean Taylor. (Mrs. Taylor is a secretary in Planning.) Resolution approving agreement with Carolyn Genung needed, and resolution agreeing to terminate agreement with the Taylors needed.)

ACTION: Res. 83-24 adopted approving lease agreement with Carolyn Genung.

Res. 83-25 adopted agreeing to terminate agreement with Russell and Jean Taylor.  
(P.W. to handle)

CONSENT

24. Consider approving lease agreement with Don L. Thiel for the lease of the former Mendonca property at 608-610 10th Street.  
(This property was acquired for the Police facilities expansion. This is a one-year renewal of an existing lease. The rent is being increased from \$515 per month to \$535 per month. The lessee will pay taxes and do most of the maintenance. Resolution approving agreement needed.)

ACTION: Res. 83-26 adopted approving agreement.

(P.W. to handle)

CONSENT

25. Consider assigning parking lease to National Medical Enterprises.  
(Memo with agenda. National Medical has bought Modesto City Hospital and wants to assume the lease that the hospital has for a portion of the Lincoln School site. Resolution authorizing the assignment of the lease needed.)

ACTION: Res. 83-27 adopted authorizing the assignment of the lease. (P.T. to handle)

CONSENT

26. Presentation of monthly financial statement for December, 1982.  
(Copies of report will be presented at meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

27. Appointments

ACTION: Res. 83-28 adopted (Elliott/Siefkin, unan.) appointing Timothy S. Fisher to the Board of Zoning Adjustment to replace Blaine Pack, term to expire 1/1/87.  
Res. 83-29 adopted (Elliott/Siefkin, unan.) appointing Kenneth Savage, Jr. to the Culture Commission to replace Robert Stuart, term to expire 1/1/86.

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

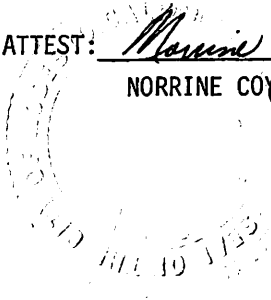
ACTION: Res. 83-30 adopted (Lang/Elliott, unan.) reducing the amount of insurance required for the car show on January 15 and 16, 1983, from \$5,000,000 to \$1,000,000.  
(Clerk to handle)

ADJOURNMENT

This meeting is to be adjourned to the Sundial, 806 McHenry Avenue, Modesto, at 8:00 a.m. on Friday, January 14, 1983, for a meeting with Assemblyman Gary Condit.

The meeting adjourned at 7:45 p.m.

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk



\*\*\*\*\*  
The regular meeting of the Redevelopment Agency of the City of Modesto scheduled January 11, 1983, will not be held because there is no business to transact.

Adjourned Regular Meeting  
Modesto City Council  
January 14, 1983

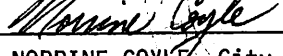
The Council of the City of Modesto met pursuant to adjournment at 8:00 a.m., at the Sundial, 806 McHenry Avenue, Modesto, California.

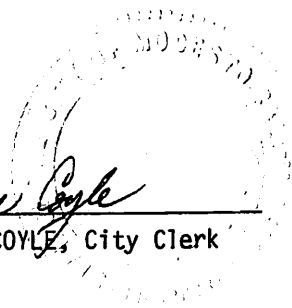
Present: Councilmembers Bright, Elliott, Lang, Muratore,  
Patterson, Siefkin, Mayor Mensinger

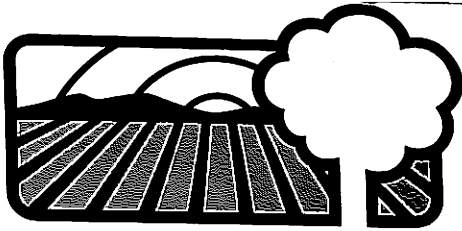
Absent: None

In addition to various items of State legislation listed on the meeting agenda (copy attached to City Clerk's minutes) Assemblyman Gary Condit requested that the City Council consider and send him a letter with the City's position on the proposed State budget cuts and tax increases, P.U.C. decision concerning cutting some Greyhound routes and cuts that will affect Amtrak. In response to his question concerning 1980 Park Bond Funds, it was stated that the City of Modesto has had no problem obtaining funds.

The meeting adjourned at 9:20 a.m.

ATTEST:   
NORRINE COYLE, City Clerk





# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 18, 1983, AT 4:00 P.M.

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

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Rev. Joe Wright, Calvary Temple

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 6, 7, 9, 10, 13, 14, 15a

DROPPED FROM AGENDA: 8

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

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving 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 11, 1983, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

1/18/83

## UNFINISHED BUSINESS

### CONSENT

3. Final adoption of Ord. No. 2168-C.S. amending Zoning Regulations to allow second-hand merchandise sales in C-1 Zones.  
(Motion approving needed.)

ACTION: By motion, Ord. No. 2168-C.S. adopted.

(Clerk to handle)

## HEARINGS

4. Hearing to consider a sewer parcel inspection fee.

ACTION: By motion (Lang/Elliott, unan., Mayor Mensinger absent) Ord. No. 2169-C.S. introduced.

Res. 83-31 adopted (same vote) establishing sewer bond redemption charge inspection fee.

Res. 83-32 adopted (same vote) establishing subtrunk sewer extension charge inspection fee. (P.W. to handle)

5. Hearing on amendment to Open Space and Recreation Element of the Modesto Urban Area General Plan.

ACTION: Res. 83-33 adopted (Lang/Siefkin, unan., Mayor Mensinger absent) amending General Plan. (Planning to handle)

## BIDS

### CONSENT

6. Consider approval of plans and specifications and call for bids for improvements at Oakdale Road and Sylvan Avenue. The project is primarily the installation of traffic signals.

(Suggested bid opening: February 8, 1983, at 11:00 a.m. This is a joint City-County project. By agreement, the City will be responsible for \$70,150 of the project cost and the County will be responsible for \$88,323.45. The City's portion of this project is currently budgeted. Adjustment to this appropriation to cover the County's share to be made as part of the Mid-Year Budget Report. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$158,473.45 (Contract \$137,803; Engineering & Cont. \$20,670.45).

ACTION: Res. 83-34 adopted calling for bids.

(P.W. to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for McHenry Mansion Restoration, First Floor, Phase II, and appropriation transfer of \$60,000 to cover the cost of this phase of restoration. (The interior of the first floor is in need of additional restoration before the finish work can be completed. Suggested bid opening: February 15, 1983, at 11:00 a.m. Memo with agenda. Resolution approving plans and specifications and calling for bids needed, and resolution approving appropriation transfer needed. Estimated cost: \$53,845 (constr. \$46,845; engineering \$7,000); funds are partially budgeted.)

ACTION: Res. 83-35 adopted calling for bids.  
Res. 83-36 adopted approving appropriation transfer. (P.R./Finance to handle)

CONSENT

8. Consider award of contract for the modification to old communication area at the Police Department. (Bids were opened on December 28, 1982. The low bid of \$6,786.78, submitted by B & L Builders, is 24% above the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to B & L Builders needed. Funds are budgeted.)

DROPPED FROM AGENDA.

CONSENT

9. Consider declaring The Hertz Corporation sole bidder and authorize the purchase of seven used cars for the total price of \$48,442. (Memorandum with agenda. Resolution declaring The Hertz Corporation sole bidder and authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 83-37 adopted authorizing purchase. (Finance to handle)

CONSENT

10. Consider declaring Electro Controls and Enclosures, Inc. low bidder and authorize the purchase of four pump control cabinets and three pressure transmitters from the firm for the total price of \$7,515.40. (Memorandum with agenda. Resolution declaring Electro Controls and Enclosures, Inc. low bidder and authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 83-38 adopted authorizing purchase. (Finance to handle)

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

There was a discussion of a proposed K u Klux Klan rally.

NEW BUSINESS

CONSENT

13. Consider adoption of a resolution providing for the defense of actions for recovery of taxes and designating the County of Stanislaus as the City's agent for service of process in tax actions.  
(Memorandum with agenda. Adoption of resolution needed.)

ACTION: Res. 83-39 adopted providing for the defense of actions for recovery of taxes and designating the County of Stanislaus as the City's agent for service of process in tax actions. (Atty. to handle)

CONSENT

14. Consider the following:

- a. Withdrawing Robin Hood Estates Annexation from the McHenry-Dry Creek Fire Protection District.
- b. Setting public hearing March 1, 1983, at 4:00 p.m. to determine that the public interest and convenience require Robin Hood Estates Annexation be annexed to Modesto Municipal Sewer District No. 1.

(The effective date for Robin Hood Estates Annexation to the City of Modesto is January 13, 1983. Resolution withdrawing from fire district needed, and resolution setting hearing needed.) (Five affirmative votes needed.)

ACTION: Res. 83-40 adopted withdrawing from Fire Protection District.

Res. 83-41 adopted setting hearing on annexation. (Clerk to handle)

MISCELLANEOUS

15. Appointments

CONSENT

- a. Recommend to Council that Carole Davis be reappointed to the Board of Zoning Adjustment.  
(On January 3, 1983, the Planning Commission adopted Res. 83-1 recommending to the City Council that Carole Davis be reappointed to the Board of Zoning Adjustment to serve as the Planning Commission's representative. Resolution needed.)

ACTION: Res. 83-42 adopted reappointing Carole Davis to the Board of Zoning Adjustment as the Planning Commission's representative, term to expire 12/31/83. (Clerk to handle)  
(Lang/Siefkin, unan., Mayor Mensinger absent)

- b. Other appointments

ACTION: Res. 83-43 adopted (Lang/Siefkin, unan., Mayor Mensinger absent) appointing Karen Grenbeaux to the Airport Advisory Committee, term to expire 1/1/87.  
(Clerk to handle)

16.

MATTERS TOO LATE FOR THE AGENDA

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

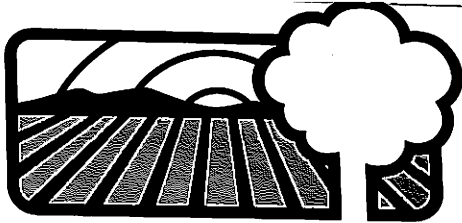
City Council was informed that Southern Pacific plans to repair railroad crossings in Modesto, beginning on January 24, at the Woodland Avenue crossing and continuing south. Each street will be closed during construction.

ADJOURNMENT

The meeting adjourned at 5:10 p.m.

ATTEST:

  
*Norrine Coyle*  
\_\_\_\_\_  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 25, 1983, AT 7:30 P.M.

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

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Rev. Robert Elliott, Modesto Christian School Teacher

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 8, 9, 10, 11, 12, 14, 15, 16, 17,  
18, 19

ACTION: (Elliott/Bright, 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

Jennifer Macklin, representing Girl Scout Troop 402 and Brownie Troop 309 announced the start of the annual Girl Scout cookie sale, and members of the troops presented boxes of cookies to the members of the City Council.

### MINUTES

#### CONSENT

2. Approval of the minutes of the adjourned regular meeting of January 14, 1983, and the January 18, 1983 regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of Ord. No. 2169-C.S. relating to sewer bond redemption charge and subtrunk sewer extension charge.  
(Motion approving needed.)

ACTION: By motion, Ord. No. 2169-C.S. adopted.

(Clerk to handle)

HEARINGS

4. Hearing regarding request from Francis R. Ruggieri, on behalf of Rudy Bonzi, Inc. concerning renewal of license for the collection of industrial garbage and swill and/or salvageable waste.

ACTION: By motion (Lang/Elliott, unan., Mayor Mensinger absent) Ord. No. 2170-C.S. introduced granting licenses to Bonzi.

(Clerk to handle)

5. Hearing regarding request from Francis R. Ruggieri, on behalf of Bertolotti Disposal, Inc., concerning renewal of license for the collection of garbage.

ACTION: By motion (Bright/Elliott, unan., Mayor Mensinger absent) Ord. No. 2171-C.S. introduced granting license to Bertolotti.

(Clerk to handle)

6. Hearing to consider amendment to Sec. 6-4-9 of the Zoning Map to rezone from R-1 to P-D(335) to allow a senior citizens housing project, property located on the southwest corner of Paradise Road and Pine Tree Lane. (Tommy Thomas)  
(Continued from October 26 and December 28, 1982, City Council meetings.)

ACTION: By motion (Elliott/Siefkin, unan., Mayor Mensinger absent) Council acknowledged that the applicant had withdrawn the application.

7. Hearing to consider amendment to Sec. 7-4-9 and 8-4-9 of the Zoning Map to rezone from R-1 to P-D(336) for a mobilehome park, property located at the northeast corner of Whitmore Avenue and Ustick Road. (Martin Teunissen)

ACTION: By motion (Lang/Siefkin, unan., Mayor Mensinger absent) Ord. No. 2172-C.S. introduced.

Res. 83-44 adopted (same vote) approving plan.

Res. 83-45 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

BIDS

CONSENT

8. Consider approving specifications and authorizing call for bids to be opened February 22, 1983, at 2:00 p.m. for furnishing water well meters. (Requested by the Public Works Water Division, the water well meters will monitor well production and allow the City to perform efficiency tests. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$20,000; funds are budgeted.)

ACTION: Res. 83-46 adopted calling for bids. (Finance to handle)

CONSENT

9. Consider declaring Sherwin Williams overall low bidder for the City's annual requirement of maintenance paint. (Memorandum with agenda. Resolution awarding contract needed. Estimated cost: \$7,000; funds are budgeted.)

ACTION: Res. 83-47 adopted awarding contract. (Finance to handle)

CONSENT

10. Consider award of contract for the modification of Modesto Police Department old communication area. (Bids were opened on December 28, 1982. The low bid of \$7,192.78, submitted by B & L Builders, is 31% above the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department and the Police Department that the contract be awarded to them. Memo with agenda. Resolution awarding contract needed; funds are budgeted.)

ACTION: Res. 83-48 adopted awarding contract. (P.W. to handle)

CONSENT

11. Consider waiving formal bid procedures and authorize the purchase of a tape drive from Hewlett Packard for \$16,187. (Requested by Public Works Administration, the tape drive will provide data compatibility with other City and County computer equipment, as well as the City's Word Processing equipment. It will also provide systems backup for the existing Hewlett Packard computer. Only Hewlett Packard tape drives are compatible with the existing computer system and are available only from Hewlett Packard. Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase of tape drive needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 83-49 adopted waiving formal bid procedures. (Finance to handle)

CONSENT

12. Consider acceptance of Central Valley Roofing Company's contract to repair and refurbish existing roof at King-Kennedy Community Center as complete. (Original contract: \$9,900)  
(All work on this project has been completed to the satisfaction of the Parks and Recreation and Public Works Departments. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$11,295; funds are budgeted.)

ACTION: Res. 83-50 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.)

Glen Robinson, representing a square dance group, asked why they could not use the Community Service Center for square dancing. He was asked to contact Parks and Recreation concerning another hall.

NEW BUSINESS

CONSENT

14. Consider acceptance of street light conversion loan from the California State Energy Commission.  
(The California Energy Commission has approved a \$166,423 loan to the City for a street light conversion program. Memo with agenda. Resolution approving loan agreement needed.)

ACTION: Res. 83-51 adopted approving loan agreement. (P.W. to handle)

CONSENT

15. Consider approving agreement with Donald J. Henderson for the acquisition of 0.06± acre of his property needed for the Scenic-County Hospital to Sunnyside project. (Mr. Henderson has agreed to sell the required right of way for the appraised value of \$8,600. This is the second of six parcels needed for this project. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 83-52 adopted approving agreement. (P.W. to handle)

CONSENT

16. Consider approving lease agreement with Gus J. and Georgia J. Papatone for the lease of 15.21± acres of land acquired for the Roselle Neighborhood School/Park site. (This is a one-year renewal of an existing lease. The Papatones will pay the City \$1,000 and pay the taxes for this land which we acquired from them. Resolution approving agreement needed.)

ACTION: Res. 83-53 adopted approving agreement. (P.W. to handle)

CONSENT

17. Consider approving agreement with United Courier, Inc. for courier service operations at the Modesto City-County Airport/Harry Sham Field. (This is a renewal of an existing agreement. It is a month-to-month agreement calling for United Courier to pay the City a monthly fee of \$50 and carry insurance, etc. Resolution approving agreement needed.)

ACTION: Res. 83-54 adopted approving agreement. (P.W. to handle)

CONSENT

18. Consider approving lease agreement with John and Paula Humphrey for the lease of 2840 Lincoln Avenue which was acquired for Dry Creek Park. (This is a one-year lease. The Humphreys will pay the City \$300 per month, pay taxes, and maintain the property. Also, in exchange for four months' free rent, they will do extensive electrical repairs and some other repairs to bring this two bedroom house up to standard. Resolution approving agreement needed.)

ACTION: Res. 83-55 adopted approving agreement. (P.W. to handle)

MISCELLANEOUS

CONSENT

19. Legislative activities regarding:

- 1. The Governor's plan for eliminating the current year deficit.
- 2. The Governor's 1983-84 Budget Proposal.
- 3. Compulsory and binding arbitration for peace officers.

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

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

20. Appointments

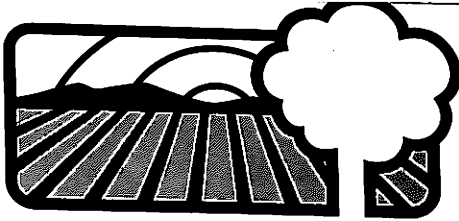
ACTION: Res. 83-56 adopted (Siefkin/Elliott, unan., Mayor Mensinger absent) reappointing William Bradford to the Airport Advisory Committee, term to expire 1/1/87. (Clerk to handle)

21. MATTERS TOO LATE FOR THE AGENDA  
(These may be presented by members of the City Council and staff.)  
Staff was requested to look into whether dances are held at the Community Service Center. (P.R. to handle)

ADJOURNMENT ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

The meeting adjourned at 8:20 p.m.  
\*\*\*\*\*

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for January 25, 1983, will not be held because there is no business to transact.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 1, 1983, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Paul Cook, Associate Pastor, Calvary Temple

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 7, 11, 12, 13,  
14, 15, 17

Removed from Consent: 6, 16

AGENDA: (Patterson/Elliott, unan.)

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

## ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of service awards to Blaine Pack, Board of Zoning Adjustment member, and Robert Stuart, Culture Commission member.

Awards were presented by Mayor Mensinger.

## MINUTES

### CONSENT

2. Approval of the minutes of the January 25, 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. 2170-C.S. granting to Rudy Bonzi, Inc. licenses for the collection of garbage and salvageable waste in the City of Modesto.
- b. Ord. No. 2171-C.S. granting to Bertolotti Disposal, Inc. a license for the collection of garbage in the City of Modesto.
- c. Ord. No. 2172-C.S. amending Section Maps 7-4-9 and 8-4-9 of the Zoning Map to rezone from R-1 to P-D(336) for a mobilehome park located at Whitmore Avenue and Ustick Road. (Martin Teunissen)

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

BIDS

CONSENT

4. Consider approval of plans and specifications and call for bids for Briggsmore Avenue street lighting.  
(Suggested bid opening: February 15, 1983, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$44,000 (Contract \$40,000; Engineering \$4,000); funds are budgeted.)

ACTION: Res. 83-57 adopted calling for bids.

(P.W. to handle)

CONSENT

5. Consider approving specifications and authorize call for bids to be opened March 1, 1983, at 2:00 p.m. for furnishing ten power aerators.  
(Requested by Public Works Engineering, the power aerators will serve as backup units for the 96 aerators presently in service at the Jennings Road ponding site. Aerators provide the necessary oxygen levels to maintain the treatment process. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$126,000; funds are budgeted.)

ACTION: Res. 83-58 adopted calling for bids.

(P.W. to handle)

WRITTEN COMMUNICATIONS

6. Request by Downtown Modesto Association that the City study funding options for expansion of the multilevel parking garage.  
(Motion referring to proper budget session needed.)

ACTION: By motion (Lang/Patterson, unan.) request referred to proper budget session.  
(Finance to handle)

CONSENT

7. Letter from David E. Kamrar resigning from the Downtown Improvement District Advisory Board.  
(Resolution accepting resignation with regret needed.)

ACTION: Res. 83-59 adopted accepting resignation with regret. (Clerk to handle)

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

None

NEW BUSINESS

9. The Affirmative Action Committee has prepared a revised Affirmative Action Plan.  
(Memo with agenda. Resolution approving revised Affirmative Action plan needed.)

ACTION: Res. 83-60 adopted (Lang/Elliott, unan.) approving plan. (Mgmt. Services to handle)

10. Consider adoption of resolution to set a fee for children's fingerprints.  
(As a service to the public, the Police Department proposes a program to fingerprint children under the age of 16 at a cost of no more than \$5.00 per child. Memo and Service Charges Task Force minutes with agenda. Resolution setting fee needed.)

ACTION: Res. 83-61 adopted (Siefkin/Muratore, unan.) setting fee. (Police to handle)

CONSENT

11. Policy for fundraising tournaments on Municipal golf courses.  
(Staff is recommending a policy to permit fundraising tournaments on golf courses for non-profit organizations headquartered in Modesto. Memo with agenda. Resolution adopting policy needed.)

ACTION: Res. 83-62 adopted adopting policy for fundraising tournaments on Municipal golf courses. (Clerk to handle)

CONSENT

12. Consider adoption of revised Guidelines for Conduct of Public Hearings.  
(Memorandum with agenda. Resolution adopting Guidelines needed.)

ACTION: Res. 83-63 adopted adopting Guidelines. (Clerk to handle)

CONSENT

13. Policy for Volunteer Service Group for Historic Buildings.  
(The Culture Commission is suggesting a policy regarding volunteer support groups, outlining the relationship between such a group and the City. Memo with agenda. Resolution adopting policy needed.)

ACTION: Res. 83-64 adopted adopting policy for volunteer service group for historic buildings. (Clerk to handle)

CONSENT

14. Consider revising standard subdivision agreement to require City Engineer to invoice subdivider at the end of each fiscal year for cost of inspection.  
(Memo with agenda. Motion directing staff to prepare future subdivision agreements as proposed needed.)

ACTION: By motion, staff directed to prepare future subdivision agreements. (P.W. to handle)

CONSENT

15. Amendments to Position Classification Plan and Salary Resolution - Senior Accountant, Assistant Director of Finance revised to Finance Division Manager.  
(Memorandum with agenda. Resolution amending position classification plan and resolution amending resolution which establishes salaries needed. Funds are budgeted.)

ACTION: Res. 83-65 adopted amending position classification plan.  
Res. 83-66 adopted amending salary schedule. (Mgmt. Services to handle)

16. Rescission of exclusive authorization for issuance and sale of multiple family mortgage revenue bonds by Newman and Associates.  
(Memo with agenda. The Council granted authorization on November 17, 1981. Because of the lack of activity, it is recommended that the resolution of authorization be rescinded. Resolution rescinding Resolution No. 81-1009 authorizing issuance and sale of multiple family mortgage revenue bonds needed.)

ACTION: Res. 83-67 adopted (Lang/Muratore, unan.) rescinding Res. No. 81-1009 authorizing issuance and sale of multiple family mortgage revenue bonds. (Planning to handle)

CONSENT

17. Consider approval of increases in rental rates for City buildings and facilities, and discontinuing swim tickets for multiple admissions.  
(Memo with agenda. Six resolutions needed.)

ACTION: Res. 83-68 adopted establishing rental fees for facilities in Senior Citizens Center.  
Res. 83-69 adopted establishing rental fees for use of the Beard Brook Shelter.  
Res. 83-70 adopted establishing rental fees for use of the Boy Scout Clubhouse.  
Res. 83-71 adopted establishing rental fees and priorities for use of the L.J. Maddux Youth Center Building.  
Res. 83-72 adopted establishing rates for use of swimming pools at various schools.  
Res. 83-73 adopted establishing rental fees for use of rooms and facilities in the Modesto Community Service Center. (P.R. to handle)

18. Determination on project area committee for Modesto Redevelopment Project.  
(Staff suggested that a project area committee not be formed; that direct consultation be made with project area property owners, residents, and businesses and the DID and DMA involved. Memo with agenda. Resolution determining that project area committee should not be formed for Modesto Redevelopment Project needed.)

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

ACTION: Res. 83-74 adopted (Lang/Patterson, unan., Siefkin and Mayor Mensinger absent) determining that project area committee should not be formed for Modesto Redevelopment Project. (Planning 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.)

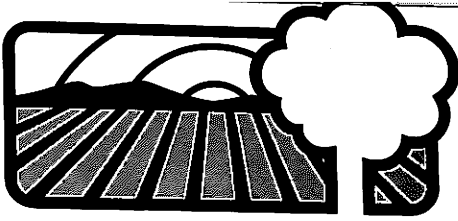
None

ADJOURNMENT

The meeting adjourned at 4:45 p.m.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

\*\*\*\*\*  
The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for February 1, 1983, will not be held because there is no business to transact.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 8, 1983, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Lang, Muratore, Patterson,  
Siefkin, Mayor Mensinger  
(Councilmember Patterson arrived at 7:35 p.m.)  
Absent: None

Pledge of allegiance to the Flag

Invocation: Councilmember Tom Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 7, 8, 10, 11, 13, 14, 15

Removed from consent: 9

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

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

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Mensinger introduced Scoutmaster Verne Wardle and members of Boy Scout Troop 113.

### MINUTES

#### CONSENT

2. Approval of the minutes of the February 1, 1983, regular City Council meeting.  
(motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

## HEARINGS

3. Hearing to consider an amendment to P-D(159) to allow a bicycle motocross race course at 2000 West Briggsmore Avenue at the Roller King Skating Rink property on the south side of Briggsmore east of Prescott. (Thomas & David Harrell)

ACTION: By motion (Muratore/Patterson, majority, Elliott-no) Ord. No. 2173-C.S. introduced. Res. 83-75 adopted (same vote) approving plan and certifying review of Environmental Assessment. (Planning/Clerk to handle)

4. Hearing to consider an amendment to Sections 25-3-9 and 36-3-9 of the Zoning Map to rezone from P-0, M-2, and P-D(144), to H-1 property located at the northeast corner of Lincoln Avenue and Yosemite Boulevard. (Anna Kounias)

ACTION: By motion (Lang/Muratore, unan.) Ord. No. 2174-C.S. introduced.

Res. 83-76 adopted (same vote) certifying review of Environmental Assessment. (Planning/Clerk to handle)

## BIDS

### CONSENT

5. Consider calling for bids to install traffic signals and street improvements at Carpenter Road and Woodland Avenue. (Memo with agenda. This is a cooperative City-County project with 75% City and 25% County cost sharing. Resolution approving plans and specifications and calling for bids to be opened on March 15, 1983, at 2:00 p.m. Estimated cost: \$85,000; funds are partially budgeted. When bids have been received, exact financial need will be known.)

ACTION: Res. 83-77 adopted calling for bids. (P.T. to handle)

### CONSENT

6. Consider award of contract for the construction of Improvement District No. 24. (Bids were opened on October 19, 1982, for the construction of Improvement District No. 24. The low bid of \$499,581.25, submitted by Mac's Backhoe Service, is 19% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded. Resolution awarding contract to Mac's Backhoe Service needed. Funds are budgeted.)

ACTION: Res. 83-78 adopted awarding contract. (P.W. to handle)

CONSENT

7. Consider award of contract for the Briggsmore/Sunrise landscaping and irrigation. (Bids were opened on February 1, 1983. The low bid of \$15,555, submitted by Fries Landscape Co., is 17% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to Fries Landscape Co. Memo with agenda. Resolution awarding contract to Fries Landscape Co. needed. Funds are budgeted.)

ACTION: Res. 83-79 adopted awarding contract.

(P.T. to handle)

CONSENT

8. Consider acceptance of Barham Enterprises' contract for Police Department computer facility as complete. (Original contract: \$15,530)  
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be 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: \$18,932.32; funds are budgeted.)

ACTION: Res. 83-80 adopted accepting work as complete.

(Clerk to handle)

WRITTEN COMMUNICATIONS

9. Request by Mike and Charlene Fuhlendorf for permission to file a late claim for damages to their house when the sewer backed up into the bathroom.  
(Resolution rejecting claim needed.)

ACTION: Res. 83-81 adopted (Lang/Bright, unan.) rejecting claim.

(Clerk to handle)

CONSENT

10. Request by Stanislaus County Historical Society that the rental fee be waived when the organization meets in the McHenry Museum.  
(Memo with agenda. Motion referring request to Culture Commission needed.)

ACTION: By motion, request referred to Culture Commission.

(P.R. to handle)

CONSENT

11. Request from McHenry Museum Society that the City accept the 1854-1920 Stanislaus County Assessment Rolls and other County records.  
(Memo with agenda. Motion referring request to Culture Commission needed.)

ACTION: By motion, request referred to Culture Commission.

(P.R. to handle)

12.

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

None

NEW BUSINESS

CONSENT

13. Resolution authorizing the City Manager to sign an amended contract to provide for a rate increase for maintenance of the Hewlett Packard 9845T desk top computer system located in the Public Works Department, Engineering Division to \$5,700 per year.  
(Memorandum with agenda. Resolution approving amended contract needed. Funds are budgeted.)

ACTION: Res. 83-82 adopted approving amended contract. (Finance to handle)

CONSENT

14. Presentation of monthly financial statement for January, 1983.  
(Copies of report will be presented at meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of financial statement acknowledged.

MISCELLANEOUS

CONSENT

15. Legislation: Staff recommends:

OPPOSING - AB 280 (Hauser) Transportation: intercity bus plan

REMAIN NEUTRAL - AB 281 (Condit) Transportation: intercity bus services

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

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

16. Appointments

None

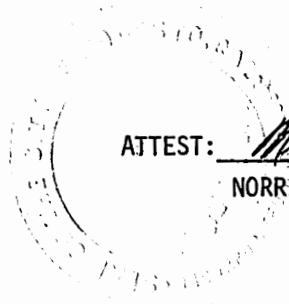
17.

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

None

ADJOURNMENT

The meeting adjourned at 9:00 p.m. to 8:00 a.m., February 11, 1983, at the Sundial Restaurant, 806 McHenry Avenue, for a meeting with Supervisor Nick Blom.



ATTEST:

*Norrine Coyle*  
\_\_\_\_\_  
NORRINE COYLE, City Clerk

\*\*\*\*\*

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for February 8, 1983, will not be held because there is no business to transact.

Adjourned Regular Meeting  
Modesto City Council  
February 11, 1983

The Council of the City of Modesto met pursuant to adjournment at 8:00 a.m., at the Sundial, 806 McHenry Avenue, Modesto, California.

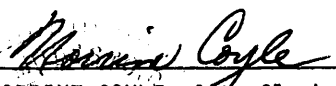
Present: Councilmembers Elliott, Lang, Muratore,  
Mayor Mensinger

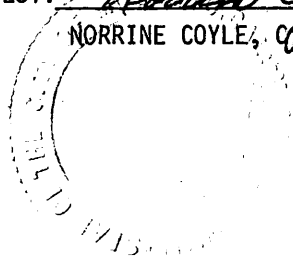
Absent: Councilmembers Bright, Patterson, Siefkin

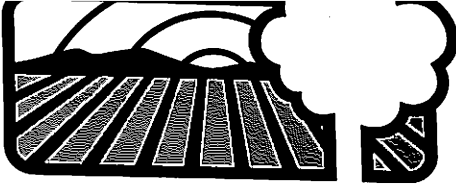
The Councilmembers met with Stanislaus County Board of Supervisor Nick Blom to discuss various matters of interest to the City of Modesto.

The meeting adjourned at 9:30 a.m.

ATTEST:

  
NORRINE COYLE, City Clerk





# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 15, 1983, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Vice Mayor Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 7, 8, 12, 13, 16, 17, 18, 19, 20, 21, 22, 23, 24

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

Ken Givens presented a painting of Mayor Mensinger to be hung in City Hall and given to the Mayor when she retires from office.

## MINUTES

### CONSENT

2. Approval of the minutes of the February 8, 1983, regular City Council meeting. (Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

### UNFINISHED BUSINESS

3. Report on the use of public facilities.  
(At the Council meeting on January 18, 1983, the Council asked for a report on whether the City can deny the use of public facilities to groups who practice prohibited discrimination. Report with agenda. Motion directing staff needed.)

ACTION: By motion (Lang/Bright,unan.) staff was directed to develop and bring back some language concerning discrimination for inclusion in agreements for rental of City facilities.

4. Final adoption of Ord. No. 2173-C.S. amending P-D(159) to allow a bicycle motocross race course, property located on the south side of Briggsmore east of Prescott (Thomas & David Harrell).  
(Motion adopting needed.)

ACTION: By motion (Lang/Patterson, majority, Elliott-no) Ord. No. 2173-C.S. adopted.  
(Clerk to handle)

#### CONSENT

5. Final adoption of Ord. No. 2174-C.S. rezoning from P-0, M-2 and P-D(144), to H-1, property located at the northeast corner of Lincoln Avenue and Yosemite Boulevard (Kounias Estate).  
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2174-C.S. adopted. (Clerk to handle)

### BIDS

#### CONSENT

6. Consider award of contract for the improvements at Oakdale Road and Sylvan Avenue. (Bids were opened on February 8, 1983. The low bid of \$94,896, submitted by Industrial Electrical Co., is 31% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to Industrial Electrical Co. needed. Funds are budgeted.)

ACTION: Res. 83-83 adopted awarding contract. (P.W. to handle)

#### CONSENT

7. Consider accepting Sylvan/Boyce traffic signal contract as complete. (Memo with agenda. The contract was awarded to Bowden Electric, Inc. on July 20, 1982, for \$27,995. Two change orders were issued bringing the total contract to \$29,439. This was a cooperative City/County project with equal cost sharing. Resolution accepting the project as complete needed. Funds are budgeted.)

ACTION: Res. 83-84 adopted accepting project as complete. (Clerk to handle)

CONSENT

8. Consider approving specifications and authorize call for bids to be opened March 15, 1983, at 2:00 p.m. for furnishing backflow preventors.  
(Requested by the Parks and Recreation Department, the backflow preventors will be placed in various park irrigation systems to prevent discharged water from seeping back into the water supply. Installation of the backflow preventors will upgrade the City's existing irrigation system to conform with Title 17 of the California Administrative Code and new Public Works requirements. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$32,900; funds are budgeted.)

ACTION: Res. 83-85 adopted calling for bids.

(P.W. to handle)

WRITTEN COMMUNICATIONS

9. Application by Christopher Murphy for City assistance with a bicycle race around Graceada Park on Sunday, April 17, 1983.

Dropped from agenda.

10. Letter from the Downtown Improvement District Parking and Transportation Committee concerning downtown parking.

ACTION: By motion (Lang/Muratore, unan.) letter referred to staff. (P.T. to handle)

11. Letter from the Downtown Improvement District Parking and Transportation Committee concerning the Tidewater train on 9th Street.

ACTION: By motion (Lang/Muratore, unan.) Mayor was directed to write a letter to all railroad companies concerned to make them aware of the City's interest in getting the Tidewater trains and tracks off of 9th Street. (Mgr. to handle)

CONSENT

12. Request on behalf of the Camellia Society of Modesto that the City again donate a trophy for the annual Camellia Show to be held March 19 and 20, 1983.  
(Motion approving request needed.)

ACTION: By motion, request approved.

(Finance to handle)

CONSENT

13. Request by Patricia Burnette for permission to file a late claim for auto towing and storage charges.  
(Resolution denying the request needed.)

ACTION: Res. 83-86 adopted denying the request.

(Clerk to handle)

14.

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

None

NEW BUSINESS

15. Consider proposal by the Industrial Fire Protection District to contract with the City of Modesto for fire suppression service within the City limits.  
(Memo with agenda. Motion approving recommendation that the City not contract for additional fire protection service needed.)

ACTION: By motion (Lang/Elliott, unan.) request from Industrial Fire Protection District denied.

CONSENT

16. Consider approval of an agreement with Crocker Bank to service the Deferred Payment Loans.  
(Memo with agenda. This agreement will authorize Crocker Bank to service Deferred Payment Loans originated by the Housing Maintenance Program, as they now service the interest bearing loans. This will be for a one-time charge of \$40 per loan. The agreement transfers the bookkeeping and servicing of loans from Finance Department. The concept has been reviewed by the Rehabilitation Loan Pool Subcommittee. Resolution approving agreement needed. Estimated cost: \$1,000; funds are budgeted.)

ACTION: Res. 83-87 adopted approving agreement. (Planning to handle)

CONSENT

17. Consider approving lease agreement with Robert Neugebauer for the lease of 5± acres of land acquired for Orchard Neighborhood park site.  
(This is a six-month renewal of an existing lease. Mr. Neugebauer will pay us \$150, pay taxes, and maintain this property which is unleaseable to anyone else. Resolution approving agreement needed.)

ACTION: Res. 83-88 adopted approving agreement. (P.W. to handle)

CONSENT

18. Consider proposed amendment to agreement with American Legion.  
(The Tuolumne River Regional Park Committee is recommending that the agreement be amended to transfer uses of new Legion Hall to old Legion Hall. The proposed amendments have been approved by Stanislaus County and the City of Ceres. Letter from Chairman of Tuolumne River Regional Park Committee with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 83-89 adopted approving amendment to agreement. (P.R. to handle)

CONSENT

19. Consider proposed revision to joint powers agreement establishing Tuolumne River Regional Park.  
(The Tuolumne River Regional Park Committee is recommending that the formula for establishing revenue for the Tuolumne River Regional Park be revised to reflect current assessment practices. The agreement has been approved by Stanislaus County Board of Supervisors and the City of Ceres. Letter from Chairman with agenda. Resolution approving amended agreement needed.)

ACTION: Res. 83-90 adopted approving amended agreement. (P.R. to handle)

CONSENT

20. Consider acceptance of improvements in Anwar Manor subdivision as complete and authorize City Clerk to file the Notice of Completion and release bonds upon expiration of statutory periods. (Subdividers: William E. and Betty L. Ferrell) (Anwar Manor subdivision is located east of Spencer Avenue and north of California Avenue. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 83-91 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

21. Consider approving lease agreement with Raymond L. and Ruby C. Marsh for the lease of 1004 Thrasher Avenue, a house which was acquired for Airport Neighborhood park site. Also, consider terminating the old lease agreement with Arnold W. and Marilyn Romey.  
(This house has been rented to Arnold and Marilyn Romey for the past two years. They have one more year to go on their lease, but would like to buy a house. Therefore, they have found new tenants to take over. The Marshes will pay the City \$410 per month (same as last year on Romey's lease), pay the taxes, and maintain the property. The new lease is for one year. Resolution approving agreement needed, and resolution terminating the old agreement needed.)

ACTION: Res. 83-92 adopted approving lease agreement with Raymond and Ruby Marsh.

Res. 83-93 adopted terminating a lease agreement with Arnold W. and Marilyn Romey.  
(P.W. to handle)

CONSENT

22. Consider amending Modesto City Council Res. No. 82-645 establishing charges and fees for activities and services at the Modesto City-County Airport/Harry Sham Field. (The fees and charges established by Res. No. 82-645 were calculated on square footage. It was determined that the original square footage of T-Hangar "A" and the "End Units" were incorrect. New charges have been figured on the corrected square footage for T-Hangar "A" and the "End Units." Resolution amending Res. No. 82-645 needed.)

ACTION: Res. 83-94 adopted amending Res. No. 82-645 establishing charges and fees for activities and services at the Modesto City-County Airport. (P.W. to handle)

CONSENT

23. Consider that the City of Modesto endorse Stanislaus County's application for a Service Delivery Area designation for the Job Training Partnership Act Program. (Memorandum with agenda. Resolution endorsing program needed.)

ACTION: Res. 83-95 adopted endorsing program. (Mgmt. Services to handle)

MISCELLANEOUS

CONSENT

24. Legislation: Staff recommends supporting AB 96 (Moore and Hughes) - Alcoholic Beverages. (Memo and attachment with agenda. Motion accepting staff recommendation needed.)

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

25. Appointments

None

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

a. Urban transition

ACTION: Res. 83-96 adopted (Elliott/Bright, unan.) requesting the County Planning Commission and County Board of Supervisors to not approve creation of parcels of less than 10 acres or urban land uses in the County areas designated as urban transition adjacent to the City of Modesto until a joint review of the land use policies in said areas is completed and approved. (Clerk to handle)

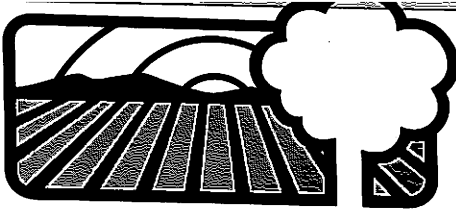
ADJOURNMENT

The meeting adjourned at 4:55 p.m.

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

\*\*\*\*\*

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for February 15, 1983, will not be held because there is no business to transact.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 22, 1983, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Councilmember Tom Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 6, 7, 8, 10, 13, 14, 15, 16, 17, 18, 19

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

None

### MINUTES

#### CONSENT

2. Approval of the minutes of the adjourned regular meeting of February 11, 1983, and the regular City Council meeting of February 15, 1983.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

BIDS

CONSENT

3. Consider approval of plans and specifications and call for bids for Standiford Avenue improvements - Conant Avenue to 644 ft. east on Standiford. (Suggested bid opening: March 15, 1983 at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$33,240 (\$30,216 Contract, \$3,024 Eng.) Funds are budgeted.)

ACTION: Res. 83-97 adopted calling for bids.

(P.W. to handle)

CONSENT

4. Consider acceptance of Joe Martin Pipeline, Inc's contract for water system strengthening on "L" Street between Freeway 99 and Block 40 as complete. (Original contract: \$18,511.15). (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be 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: \$18,984.70. Funds are budgeted.)

ACTION: Res. 83-98 adopted accepting work as complete .

(Clerk to handle)

CONSENT

5. Consider acceptance of The Flintkote Company's contract for asphalt concrete overlays of various residential streets - 1982-83 as complete. (Original contract: \$151,890.00). (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be 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: \$139,019.40. Funds are budgeted.)

ACTION: Res. 83-99 adopted accepting work as complete.

(Clerk to handle)

CONSENT

6. Consider award of contract for Briggsmore Avenue street lighting. (Bids were opened on February 15, 1983. The low bid of \$27,000, submitted by Walther Electric Co., Inc. is 33% below the Engineer's estimate and considered acceptable. Memo and bid tabulation with agenda. It is recommended by the Public Works Department that the contract be awarded to Walther Electric. Resolution awarding contract to Walther Electric Co. needed. Estimated Cost: \$27,000. Funds are budgeted.)

ACTION: Res. 83-100 adopted awarding contract.

(P.W. to handle)

CONSENT

7. Consider award of contract for McHenry Mansion Restoration - First Floor Phase 2, and consider approval of an appropriation transfer. (Bids were opened on February 15, 1983. The low bid of \$71,484, submitted by Barham Enterprises is 53% above the Engineer's estimate and considered acceptable. Memo and bid tabulation with agenda. It is therefore recommended by Public Works and Parks that the contract be awarded to Barham Enterprises. Funds are partially budgeted. Resolution awarding contract to Barham Enterprises and resolution approving an appropriation transfer.)

ACTION: Res. 83-101 adopted awarding contract.

Res. 83-102 adopted approving appropriation transfer. (P.R./Finance to handle)

CONSENT

8. Consider waiving formal bid procedures and authorizing the purchase of twenty-two Police patrol cars through the State of California Department of General Services for the total price of \$200,391.45. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase of Police patrol cars needed. Funds are budgeted. Need five affirmative votes.)

ACTION: Res. 83-103 adopted waiving formal bid procedures. (Finance to handle)

WRITTEN COMMUNICATIONS

9. Application by Christopher Murphy for City assistance with a bicycle race around Graceada Park on Sunday, April 17, 1983.

ACTION: By motion (Muratore/Siefkin, unan.) staff directed to work with Mr. Murphy on arrangements for the race but without supplying Police Officer assistance. (Police Staff requested to provide a report on sound amplification on Sunday in the downtown area. (Atty. to handle)

CONSENT

10. Letter from Ray Ewing resigning from the Planning Commission. (Resolution accepting resignation with regret needed.)

ACTION: Res. 83-104 adopted accepting resignation with regret. (Clerk to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

Councilmember Elliott excused at 8:05 p.m.

NEW BUSINESS

12. Consider proposal by SAAG to study non-freeway alternatives for Route 132 between Highway 99 and west City limits of Modesto. (SAAG has suggested the possibility of a non-freeway alternative that may be adequate for the near and/or long-range to handle traffic requirements on Route 132 into Modesto. That matter will be considered by SAAG Executive Committee in early April. Staff is recommending that the City support the proposed study. Council direction on this matter to Council representatives on SAAG Executive Committee would be desirable. Memo with agenda. Motion directing Council representatives on SAAG Executive Committee.)

ACTION: By motion (Muratore/Patterson, unan., - Elliott absent) S.A.A.G. representatives were directed to support a non-freeway study to be done by Cal-Trans, S.A.A.G., or City staff, in that order. (P.W. to handle)

CONSENT

13. Consider request for sewer service to property outside City limits at 1410 Garden Avenue, located on the south side of Garden Avenue between Sutter Avenue and Colorado Avenue. Owner: Bernice T. Whitely. (The property owner has signed an agreement to annex when requested to do so by the 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. 83-105 adopted approving agreement. (P.W. to handle)

CONSENT

14. Consider approving acquisition and lease agreements with Modesto Labor Temple Corporation.

(The Labor Temple Corporation has agreed to sell the required property at 602 10th Street for the appraised value of \$140,000. They will also lease a portion of the property for \$384 per month, pay the taxes, and maintain the property. The lease is for two years. The City will also be leasing a portion of the building to C.F. McCombs who is an existing tenant. This is the last of 3 properties needed for the Police Facilities Expansion project. Resolution approving acquisition agreement and resolution approving lease agreement needed. Estimated Cost: \$144,000 (\$140,000 Cost; \$4,000 Est. Escrow). Funds are budgeted.

ACTION: Res. 83-106 adopted approving acquisition agreement.

Res. 83-107 adopted approving lease agreement.

(P.W. to handle)

CONSENT

15. Consider approving agreement with Eugene R. Abel for the acquisition of 0.02+ acres of his land needed for the Paradise/Ellen to Carpenter project. (Mr. Abel has agreed to sell the required right of way for the appraised value of \$2,000. This is the third of six parcels of right of way the City needs to acquire for this project. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 83-108 adopted approving agreement.

(P.W. to handle)

CONSENT

16. Consider LAFCO questionnaire concerning the proposed Lincoln Estates Annexation. (This proposed annexation consists of a residential area on the north side of Scenic Drive east of Lakewood Avenue. It contains 69.1 acres and includes 206 single-family dwellings. Memo, maps and questionnaire with agenda. Resolution responding favorably to proposed annexation needed.)

ACTION: Res. 83-109 adopted responding favorably to proposed annexation. (Clerk to handle)

CONSENT

17. Consider approving agreement with John R. and Cecelia R. Fleming for the acquisition of 0.05+ acres of their property needed for the Paradise/Ellen to Carpenter project. (The Flemings have agreed to sell the required right of way for the appraised value of \$7,300. This is the fourth of six parcels required for this project. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 83-110 adopted approving agreement.

(P.W. to handle)

CONSENT

18. Consider approval of agreement between the City of Modesto and J.C. Display Company to provide announcement boards at the City golf courses. (The proposed agreement would provide announcement boards at the Nine-Hole and Dryden Municipal Golf Courses to provide a place to display a calendar of coming events. The cost of these boards will be paid for by advertisement and there will be no financial obligation to the City. Resolution approving agreement needed.)

ACTION: Res. 83-111 adopted approving agreement.

(P.R. to handle)

MISCELLANEOUS

CONSENT

19. Legislation: Staff recommends:

OPPOSING - SB 142 (Ellis) Outdoor Advertising

SUPPORTING - AB 14 (Campbell) Island Annexations

SB 203 (McCorquodale and Presley) 1980 Park Bond Funds  
(Memos and attachments with agenda. A motion accepting staff recommendations needed.)

ACTION: By motion, recommendations approved.

(Mgmt. Services to handle)

20. Appointments

None

21.

MATTERS TOO LATE FOR THE AGENDA

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

Vice Mayor Muratore requested a report on the use proposed for gas tax funds originally intended for transit purposes. (Mgr. to handle)

ADJOURNMENT

Meeting adjourned at 8:30 p.m. to 8:00 a.m., February 25, 1983, at the Sundial Restaurant, 806 McHenry Avenue, for a meeting with Supervisor Sal Cannella.

ATTEST:

*Norrine Coyle*  
\_\_\_\_\_  
NORRINE COYLE, City Clerk

\*\*\*\*\*

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for February 22, 1983, will not be held because there is no business to transact.

Adjourned Regular Meeting  
Modesto City Council  
February 25, 1983

The Council of the City of Modesto met pursuant to adjournment at 8:00 a.m., at the Sundial, 806 McHenry Avenue, Modesto, California.

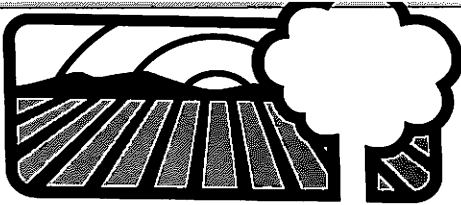
Present: Councilmembers Lang, Muratore, Mayor Mensinger

Absent: Councilmembers Bright, Elliott, Patterson, Siefkin

Due to the lack of a quorum, the adjourned meeting with Supervisor Sal Cannella was not held. However, the members of the City Council present held an informal discussion of various matters of interest to the City and County.

ATTEST:

  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 1, 1983, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Joel Richards, La Loma Grace Brethren Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 7, 8, 10, 12, 13, 14, 15, 16, 17, 18, 19

ACTION: (Siefkin/Lang, unan.)

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

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Mensinger introduced John Hollis and members of the General Foods Company's Public Affairs Committee.

Councilmember Elliott introduced his wife, Leah.

### MINUTES

#### CONSENT

2. Approval of the minutes of the February 22, 1983, regular City Council meeting. (Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

## UNFINISHED BUSINESS

### CONSENT

3. Report on proposed cuts in Federal funding for transit program.  
(Staff recommends the President and our legislators be notified the Modesto City Council opposes the proposed cuts. Memo with agenda. Motion authorizing Mayor to write letters expressing opposition needed.)

ACTION: By motion, Mayor Mensinger authorized to write letters as recommended.  
(Mgr. to handle)

## HEARINGS

4. Hearing to determine that the public interest and convenience require Scenic-Oakdale No. 3 Annexation be annexed to Modesto Municipal Sewer District No. 1.

ACTION: Res. 83-112 adopted (Lang/Elliott, unan.) annexing Scenic-Oakdale No. 3 Annexation to Modesto Municipal Sewer District No. 1.  
(Clerk to handle)

5. Hearing to determine that the public interest and convenience require Robin Hood Estates Annexation be annexed to Modesto Municipal Sewer District No. 1.

ACTION: Res. 83-113 adopted (Elliott/Muratore, unan.) annexing Robin Hood Estates Annexation to Modesto Municipal Sewer District No. 1.  
(Clerk to handle)

6. Appeal by Mid-Valley Engineering to a Board of Zoning Adjustment decision regarding the sign size at Dunlap's Department Store, 1700 McHenry Avenue, on the east side of McHenry Avenue south of Briggsmore Avenue.

ACTION: By motion (Lang/Elliott, unan.) hearing continued to March 22, 1983, at 7:30 p.m.  
(Clerk to handle)

## BIDS

### CONSENT

7. Consider approval of plans and specifications and call for bids for the parking lot improvement at American Legion Hall on South Santa Cruz Avenue.  
(Suggested bid opening: March 22, 1983, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$35,786.88 (Contract \$33,136; Engineering \$2,650.88); funds are budgeted.)

ACTION: Res. 83-114 adopted calling for bids.  
(P.W. to handle)

### CONSENT

8. Consider approval of repair of Garden Refuse Packer Truck No. 40251 in the amount of \$8,800.  
(The packer truck rear blade assembly has failed, and the City does not have the equipment necessary to make repairs. The truck must be sent to the manufacturer for repairs. Memo with agenda. Resolution authorizing purchase order needed; funds are budgeted.)

ACTION: Res. 83-115 adopted waiving formal bid procedure and authorizing repair. (Finance to handle)

WRITTEN COMMUNICATIONS

9. Letter from Paul Elias, P.G.&E., concerning P.G.&E.'s direct weatherization program.

ACTION: Res. 83-116 adopted (Lang/Muratore, unan.) urging qualifying homeowners to participate in the Pacific Gas & Electric Company's direct weatherization program. (P.W. to handle)

CONSENT

10. Letter from Helen White, Chairperson of the Human Relations Commission, requesting that the City of Modesto enter into an agreement with the State Department of Fair Employment and Housing (D.F.E.H.) to allow the Human Relations Commission to refer housing complaints it has not been able to solve to the D.F.E.H. (Resolution approving agreement needed.)

ACTION: Res. 83-117 adopted approving agreement. (Mgmt. Services to handle)

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

None

NEW BUSINESS

CONSENT

12. Consider resolution authorizing the City Manager and the Police Department to enter into "Hold Harmless" agreements with property owners where the Department's Crime Prevention Trailer is to be displayed. (Memorandum with agenda. Resolution approving "Hold Harmless" agreements needed.)

ACTION: Res. 83-118 adopted approving "Hold Harmless" agreements. (Police to handle)

CONSENT

13. Consider resolution approving renewal of public liability insurance coverage with IRIS, Ltd., for the Modesto City-County Airport, effective March 1, 1983. (Memo with agenda. Resolution approving renewal of agreement with IRIS, Ltd. needed.)

ACTION: Res. 83-119 adopted approving renewal of agreement with IRS, Ltd. (Mgmt. Services to handle)

CONSENT

14. Consider approval of agreement between the City of Modesto and the Federal Aviation Administration (FAA) at the Modesto City-County Airport/Harry Sham Field. (Currently a City-owned non-frangible mounted approach lighting system exists at the Airport. The FAA is in the process of replacing this system with a frangible MALS for Runway 28R. The agreement should be revised to change responsibility for maintenance and operation to the FAA. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 83-120 adopted approving agreement. (P.W. to handle)

CONSENT

15. Consider joining in two amicus curiae briefs in the following cases:

City of Merced v. State of California, et al. (Issue: City's efforts to be reimbursed for State mandated costs associated with 1975 revision of the eminent domain statutes.)

County of Contra Costa, et al. v. State of California (Issue: Seeking relief from Legislature's failure to appropriate funds to reimburse public entities for costs involved in complying with statutes.

(Memorandum with agenda. Motion authorizing joining in two amicus curiae briefs needed.)

ACTION: By motion, authorized joining in two amicus curiae briefs. (Atty. to handle)

CONSENT

16. Consider approval of agreement with the Church of Jesus Christ of Latter Day Saints for water service on Dale Road.

(The church is being built outside the existing urban boundaries; however, an existing 10-inch water main is proposed to be extended approximately 1,000 feet north to the church building site. This water main extension will be at the expense of the church group. Resolution approving agreement needed.)

ACTION: Res. 83-121 adopted approving agreement. (P.W. to handle)

CONSENT

17. Consider amendments to Position Classification Plan for the class of Maintenance Worker Trainee to eliminate driver's license requirement. No change in salary. (Memo with agenda. Resolution amending Position Classification Plan needed.)

ACTION: Res. 83-122 adopted amending Position Classification Plan. (Mgmt. Services to handle)

CONSENT

18. Consider revision to Resolution No. 83-94, which establishes rates and charges at the Modesto City-County Airport/Harry Sham Field, to provide for a tie-down fee discount.

(Fixed based operators operating flight schools operate training aircraft several times a day and need the flexibility to taxi in and out of tie-down spaces. Memo with agenda. Resolution providing for discount needed.)

ACTION: Res. 83-123 adopted providing for discount. (P.W. to handle)

MISCELLANEOUS

CONSENT

19. Legislation: Staff recommends supporting SB 163 (Watson) Family Day Care Homes. (Memo and attachments with agenda. Motion accepting staff recommendation needed.)

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

20. Appointments

None

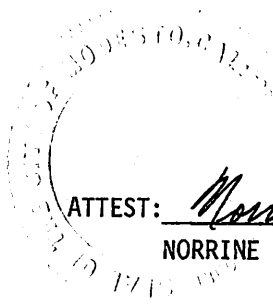
21.

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

None

ADJOURNMENT

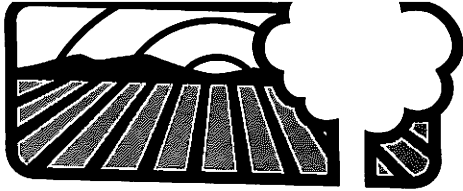
The meeting adjourned at 4:25 p.m.



ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

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The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for March 1, 1983, will not be held because there is no business to transact.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 8, 1983, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Lang, Muratore,  
Siefkin, Mayor Mensinger

Absent: Councilmember Patterson

Pledge of allegiance to the Flag

Invocation: Pritchard Amstutz, Representative for Bibles for the World

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 6, 10, 11, 12, 13,  
Removed from Consent: 15, 16 14, 17, 18, 19, 20

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

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

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Mensinger introduced Mayor Bob Wycoff of Oakdale and her son, John Mensinger.

### MINUTES

#### CONSENT

2. Approval of the minutes of the March 1, 1983, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

BIDS

CONSENT

3. Consider declaring Camellia Valley Supply low bidder meeting City specifications on Items I, II, and III and authorize the purchase of five water well meters from the firm for the total price of \$5,272; and consider declaring Water Specialties Corporation low bidder on Item IV and authorize the purchase of nine water well meters from the firm for the total price of \$5,877.  
(Memorandum with agenda. Resolution authorizing purchase of water well meters from Camellia Valley Supply needed; and resolution authorizing purchase of water well meters from Water Specialties Corporation needed. Funds are budgeted.)

ACTION: Res. 83-124 adopted authorizing purchase from Camellia Valley Supply  
Res. 83-125 adopted authorizing purchase from Water Specialties Corporation  
(Finance to handle)

CONSENT

4. Consider approval of plans and specifications and call for bids for Ustick drainage area and waterline extension.  
Suggested bid opening: March 29, 1983, at 11:00 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$134,260.20 (Contract \$124,315; Engineering \$9,945.20); Funds are partially budgeted. Additional funds will be transferred once bids are opened and the exact amount needed to complete the project is established.)

ACTION: Res. 83-126 adopted calling for bids. (P.W. to handle)

CONSENT

5. Consider waiving formal bid procedures and authorizing the purchase of one copy machine from the L. M. Morris Company for the total amount of \$7,206.10.  
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 83-127 adopted waiving formal bid procedures. (Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

6. Letter from the Downtown Improvement District requesting permission to hold a sidewalk sale March 9 - 12, 1983.  
(Motion approving request needed.)

By motion, request approved.

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

None

NEW BUSINESS

8. Consider LAFCO questionnaire concerning annexation of the McHenry-Dry Creek Fire Protection District to the City of Modesto.  
(Residents of the fire district have initiated proceedings to annex all territory in the district, comprised of eight noncontiguous areas, to Modesto. LAFCO has referred the proposed annexation to Modesto for comment. Memo, maps, and questionnaire with agenda. Resolution approving response to LAFCO questionnaire needed.)

ACTION: By motion (Lang/Bright, unan., Patterson absent) discussion on this item held over to April 5, 1983.  
(Clerk to handle)

9. Consider supporting the Air Passenger Study being proposed by the Inter-Agency Coordinating Committee for the San Joaquin Valley and Central Regions of California.  
(A two-year study is being proposed and will be beneficial to the City of Modesto. Memo with agenda. Motion supporting the Air Passenger Service study proposed needed.)

ACTION: By motion (Muratore/Elliott, unan., Patterson absent) Air Passenger Service study supported.  
(P.W. to handle)

CONSENT

10. Consider City-County Transportation Committee recommendations and directions on several transit matters.  
(Memo with agenda. The Committee recommends that: requests for fare-free transit service be considered under the City's policy for direct assistance; staff report further on the criteria that must be met by the City in accepting grants which would permit rental of space at the Downtown Transportation Center; bids be sought on a new three-year Dial-A-Ride contract; and the bus bench franchise operator be given 30 additional days to get the bus schedules posted on the benches. Additionally, a brief report on the bus rider survey is provided. Resolution establishing the fare-free transit service policy as part of the City's policy for direct assistance needed.)

ACTION: Res. 83-128 adopted establishing the fare-free transit service policy as part of the City's policy for direct assistance.  
(P.T. to handle)

CONSENT

11. Consider transit marketing study.  
(Memo with agenda. SAAG may have transit planning funds in the 1983-84 fiscal year. It is recommended that Modesto apply for the funds. Motion authorizing staff to indicate the City's interest in having study made needed.)

ACTION: By motion, staff directed to indicate City's interest in having study made.  
(P.T. to handle)

CONSENT

12. Consider extending City Hospital lease on part of Lincoln School site.  
(Memo with agenda. The lease expires on 12-31-83 and the request is for a two-year extension with the City having the right to cancel on six months' notice. The rent is \$800 per month. Resolution approving a two-year extension of the lease needed.)

ACTION: Res. 83-129 adopted approving a two-year extension of lease.  
(P.T. to handle)

CONSENT

13. Consider new and revised non-radar speed limits.  
(Memo with agenda. One new 25 mph non-radar speed limit on Snyder between Blue Bird and Dale is proposed. Revisions to six other non-radar speed limit area descriptions are also proposed. Introduction of an ordinance amending Municipal Code Section 3-2.14 needed. Estimated cost: \$120; funds are budgeted.)

ACTION: By motion, Ord. No. 2175-C.S. introduced.

(Clerk to handle)

CONSENT

14. Consider proposed agreement with Recreation Systems, Inc.  
(Staff is recommending that the City contract with Recreation Systems, Inc. to develop a master plan for soccer field adjacent to Del Webb Field and Fairway Neighborhood Park. Resolution approving agreement needed. Estimated cost: \$6,575; funds are budgeted.)

ACTION: Res. 83-130 adopted approving agreement.

(P.R. to handle)

15. Reorganization of Public Works Department  
(Memo with agenda. Because of the Public Works Director's retirement on March 25, it is recommended that the Public Works Department be replaced by two departments of Engineering Services and Utility Services. It is further recommended that upon his retirement, the Public Works Director be employed on a part-time basis, as permitted by the Public Employees Retirement System, in the capacity of Deputy City Manager. Introduction of a regular ordinance and adoption of an urgency ordinance deleting the Public Works Department and authorizing the two new departments needed; and three resolutions amending the position classification plan, salary resolution and designating persons authorized to serve as Acting City Manager needed.)

ACTION: By motion (Siefkin, Elliott, unan.) Ord. 2176-C.S. introduced deleting Public Works Dept. and authorizing two new departments.

By motion (same vote) Ord. 2177-C.S. introduced relating to changes in the Public Works Department (Urgency).

Res. 83-131 adopted (same vote) amending the position classification plan.

Res. 83-132 adopted (same vote) amending the salary schedule.

Res. 83-133 adopted (same vote) designating persons authorized to serve as Acting City Manager.  
(Clerk/Mgmt. Services to handle)

16. Adoption of ordinance amending Section 4-7.1303 of the Modesto Municipal Code.  
(Recently, questions concerning the regulation of sound trucks and sound amplifying equipment on Sundays were brought to the attention of the City Council. The City Council asked staff to study the ordinance and report back to it with recommendations. Changes are recommended in Section 4-7.1303(d). Memo with agenda. Introduction of ordinance needed.)

ACTION: By motion (Muratore/Siefkin, unan., Patterson absent) Ord. No. 2178-C.S. introduced.  
(Clerk to handle)

CONSENT

17. Set hearing to consider an amendment to the Zoning Ordinance - outdoor display and sales in commercial zones.  
(On February 24, 1983, the Planning Commission adopted Resolution 83-27 recommending to the City Council a zoning code text amendment pertaining to outdoor display and sales in commercial zones. Resolution setting public hearing for April 5, 1983, at 4:00 p.m. needed.)

ACTION: Res. 83-134 adopted setting hearing.

(Clerk to handle)

CONSENT

18. Set hearing to consider an amendment to the Zoning Ordinance - motor vehicle fuel price signs (discounts for cash).  
(On February 24, 1983, the Planning Commission adopted Resolution 83-28 recommending to the City Council an amendment to Section 10-2.3510 of the Zoning Ordinance pertaining to motor vehicle fuel price signs (discounts for cash). Resolution setting public hearing for April 5, 1983, at 4:00 p.m. needed.)

ACTION: Res. 83-135 adopted setting hearing.

(Clerk to handle)

CONSENT

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

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

CONSENT

20. Legislation: Staff recommends opposing SB 54(Montoya) - Prepayment of franchise fees by cable operator prohibited, and supporting SB 146 (Craven) - Local debt interest rates (Memos and attachments with agenda. Motion accepting staff recommendations needed.)

ACTION: By motion, staff recommendations approved.

21. Appointments

None

22.

MATTERS TOO LATE FOR THE AGENDA

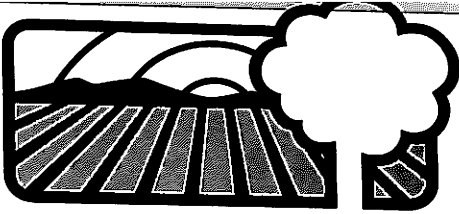
(These may be presented by members of the City Council and staff.)  
Mayor Mensinger reported on the latest CAB developments concerning essential air service.

ADJOURNMENT

The meeting adjourned at 8:29 p.m.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

\*\*\*\*\*  
The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for March 8, 1983, will not be held because there is no business to transact.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 15, 1983, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Garth Bolinder, Modesto Covenant Church

### A. Canvass of Votes

ACTION: Res. 83-136 adopted (Siefkin/Elliott, unan.) declaring canvass of returns and results of Regular Municipal Election held March 8, 1983.

### B. Oath of Office

ACTION: Oath of Office taken by newly elected City Council and Modesto Board of Education members.

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

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.)

## ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Sheila Grothe, Stanislaus County Department of Education, invited the Mayor and Councilmembers to attend the Stanislaus County C.P.R. Week classes on March 19, 1983. Doris Reis representing New Jerusalem Ministries, presented members of the Council with a tape of President Ronald Reagan's remarks at the 1983 Christian Broadcasters Convention and said her group regularly prays for the City Council.

## MINUTES

### CONSENT

2. Approval of the minutes of the March 8, 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. 2175-C.S. amending Municipal Code relating to speed limits in the City of Modesto.
- b. Ord. No. 2176-C.S. amending Municipal Code relating to reorganization of the Public Works Department. (Regular)
- c. Ord. No. 2178-C.S. amending Municipal Code relating to noncommercial use of sound trucks.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

4.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Jay Lawyer expressed concerns about the Sherwood Forest Annexation being included in or tied to the entire McHenry-Dry Creek Fire District Annexation.

NEW BUSINESS

CONSENT

5. Request of Griswold and Wight for refund of business license mill tax overpayment. (Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 83-137 adopted approving refund.

(Finance to handle)

CONSENT

6. Consider approving application for funds under the Institute of Museum Services Grant Program for the McHenry Museum. (Memo with agenda. Resolution authorizing filing of grant application needed.)

ACTION: Res. 83-138 adopted authorizing filing of grant application. (P.R. to handle)

CONSENT

7. Consider setting Hearing of Necessity to acquire the Barry R. Vallerand, et al property needed for the expansion of the City Service Yard. (Staff has made an offer to acquire this property, but the Vallerands have declined. Further negotiations are not expected to change the situation. Resolution setting hearing April 12, 1983, at 7:30 p.m. needed.)

ACTION: Res. 83-139 adopted setting Hearing of Necessity. (Clerk to handle)

CONSENT

8. Consider setting Hearing of Necessity to acquire two easements from Della Farrell, et al and Lena Capobianco. (The two easements are needed for a bicycle trail. Staff has made offers to acquire these easements but has not been successful. Further negotiations are not expected to change the situation. Memo with agenda. Resolution setting hearing April 12, 1983, at 7:30 p.m. needed.)

ACTION: Res. 83-140 adopted setting Hearing of Necessity. (Clerk to handle)

CONSENT

9. Consider acceptance of improvements in Wimbledon Court subdivision as complete and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Landers Construction) (Wimbledon Court subdivision is located on the west side of Tully Road approximately 200' south of Morada Drive. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 83-141 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

10. Consider acceptance of improvements in The Orchards subdivision as complete and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: A Cal Rossi Company, Ltd.) (The Orchards subdivision is located on the northeast side of Sisk Road, northwesterly from the Vintage Faire Shopping Center. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 83-142 adopted accepting improvements as complete. (Clerk to handle)

11. Preliminary approval of up to \$7 million of multifamily mortgage revenue bonds (Westdale Commons).  
(Westdale Commons, with property at the southwest corner of Dale Road and Pelandale Avenue currently being zoned R-2 and R-3, desires City support of the rental housing their project represents by approval of a multifamily mortgage revenue bond issue. Memo with agenda. Adoption of a Resolution of Intent to issue up to \$7 million of multifamily mortgage revenue bonds, designating Orrick, Herrington & Sutcliffe as the City's bond counsel, Dean Witter Reynolds as the underwriter, and authorizing City Manager to sign a developers agreement needed.)

ACTION: Res. 83-143 adopted (Muratore/Patterson, unan.) approving intend to issue multifamily mortgage revenue bonds. (Planning to handle)

CONSENT

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

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

CONSENT

13. Legislation: Staff recommends support in concept with especial support to SB 322, Local Agency Formation Commissions, SB 255 (Marks) - SB 322 (Craven) - AB 498 (Cortese).  
(Memo and attachment with agenda. A motion to accept staff recommendation needed.)

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

14. Appointments

None

MATTERS TOO LATE FOR THE AGENDA

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

None

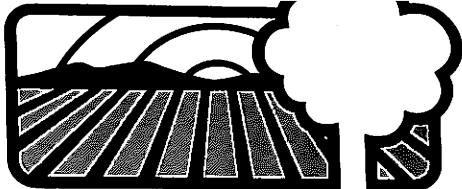
ADJOURNMENT

Meeting adjourned at 5:15 p.m.

ATTEST: Norrine Coyle

NORRINE COYLE, City Clerk

\*\*\*\*\*  
The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for March 15, 1983, will not be held because there is no business to transact.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 22, 1983, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Bill Gary, Deacon, Big Valley Grace Community Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 7, 8, 9, 10, 11, 12, 13, 14,  
Removed from consent: 18 15, 17, 19, 20, 21, 22(a)

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

None

### MINUTES

#### CONSENT

2. Approval of the minutes of the March 22, 1983, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Presentation of proposed financing plan for AgriTrade and Community Center.  
(Rod Gunn will be present to review the financing proposal which his firm has prepared.)  
Mayor Mensinger excused due to a conflict of interest.

ACTION: The proposed financing plan was reviewed by Mike Herrero and Allen Grant.

HEARINGS

4. Hearing to consider an amendment to Section 26-3-9 of the Zoning Map to rezone from C-2 to P-D(337) property located on the northeast corner of Yosemite Boulevard and N. Riverside Avenue to allow a function center, grocery item warehouse, amusement machine center and general commercial uses.  
(Creighton Brower)

ACTION: By motion (Muratore/Whiteside, unan.) Ord. No. 2179-C.S. introduced.  
Res. 83-144 adopted (same vote) approving plan.  
Res. 83-145 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

5. Hearing to consider the appeal of David A. Cerutti to a Board of Zoning Adjustment decision denying an application for a front yard setback variance at 161 Bonita Circle.

ACTION: Res. 83-146 adopted (Bright/Patterson, majority, Lang-no) denying appeal.

6. Appeal by Mid-Valley Engineering to a Board of Zoning Adjustment decision regarding the sign size at Dunlap's Department Store, 1700 McHenry Avenue, on the east side of McHenry Avenue south of Briggsmore Avenue.  
(Continued from the March 1, 1983, Council meeting.)

Councilmember Patterson excused due to a conflict of interest.

ACTION: Res. 83-147 adopted (Muratore/Bright, unan. Patterson absent) denying appeal.

BIDS

CONSENT

7. Consider approval of plans and specifications and call for bids for installation of alternative methane fuel program.  
(Suggested bid opening: April 12, 1983, at 11:00 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$303,953.04 (Contract \$281,483; Engineering \$22,515.04); funds are budgeted.)

ACTION: Res. 83-148 adopted calling for bids. (P.W. to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for slurry seal and stripe commercial runway and overlay and stripe utility runway. (ADAP No. 3-06-0153-0)  
(Suggested bid opening: April 19, 1983, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$268,649.66 (engineer's estimate \$249,906.66; Engr. & Contingencies \$18,743); funds are partially budgeted.)

ACTION: Res. 83-149 adopted calling for bids. (P.W. to handle)

CONSENT

9. Consider approving specifications and authorize call for bids to be opened April 19, 1983, at 2:00 p.m. for furnishing handicapped accessible drinking fountains.  
(Requested by the Parks and Recreation Department, the drinking fountains will replace eight existing units located at various park facilities that are not accessible to individuals with physical handicaps. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$6,500; funds are budgeted.)

ACTION: Res. 83-150 adopted calling for bids. (Finance to handle)

CONSENT

10. Consider approving bid/specification/contract documents; authorizing a bid call on a new Dial-A-Ride contract; and amending the present Dial-A-Ride contract by extending the term to 12-31-83.  
(Memo with agenda. The present Dial-A-Ride contract expires on 8-17-83. The City-County Joint Transportation Committee has recommended that bids be sought on a new three-year Dial-A-Ride contract and that the present contract be extended to allow sufficient time for the City to seek bids, award a contract, and allow the successful bidder 180 days to commence service. Resolution approving bid documents and authorizing bid call needed, and resolution extending present contract needed. Estimated cost: \$437,000 per year; funds are budgeted.)

ACTION: Res. 83-151 adopted calling for bids.  
Res. 83-152 adopted extending present Dial-A-Ride contract. (P.T. to handle)

CONSENT

11. Consider award of contract for Standiford Avenue improvements from Conant Avenue to a point 644 feet east of Conant.  
(Bids opened March 15, 1983. The low bid of \$24,460.14, submitted by L. M. Roberts Construction, is 19% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Memo with agenda. Resolution awarding contract to L. M. Roberts Construction needed. Funds are budgeted.)

ACTION: Res. 83-153 adopted awarding contract.

(P.W. to handle)

CONSENT

12. Consider awarding contract to construct traffic signals at Carpenter Road and Woodland Avenue.  
(Memo with agenda. Construction bids were opened on March 15, 1983, and Collins Electrical Co. was the low bidder at \$77,635. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 83-154 adopted awarding contract.

(P.T. to handle)

CONSENT

13. Consider acceptance of Boulder Construction's contract to strengthen water system on Sierra Drive, Rosedale Avenue and Western Way from Roselawn Avenue to Sutter Avenue as complete. (Original contract: \$85,102.90)  
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$88,413.15; funds are budgeted.)

ACTION: Res. 83-155 adopted accepting work as complete.

(Clerk to handle)

CONSENT

14. Consider declaring equipment as surplus property and authorizing the Purchasing Officer to sell by sealed bid.  
(Memorandum with list of surplus property with agenda. Resolution declaring listed equipment as surplus property and authorizing sale needed.)

ACTION: Res. 83-156 adopted declaring equipment surplus and authorizing sale.

(Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

15. 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.

(Mgr. to handle)

16.

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

Councilmember Patterson asked if staff could look into the possibility of the City's getting some of the federal funds being proposed for jobs to try and solve the City's storm drainage problems.

NEW BUSINESS

CONSENT

17. Consider approving agreement with Jack M. and Marguerite Carlson for acquisition of 1,200± square feet of their property needed to install sidewalks on Woodrow. (The Carlsons have agreed to sell the required right of way for the appraised value of \$3,100. This is the sixth parcel of 14 parcels being acquired in different areas of the City for the installation of sidewalks. Memo with agenda. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 83-157 adopted approving agreement. (P.W. to handle)

18. Consider approving agreement with Pacific Express Airlines for operating at the Modesto City-County Airport. (This agreement allows Pacific Express Airlines to operate from the Airport. It sets rental rates and outlines the terminal space they will be entitled to. This is a one-year agreement. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 83-158 adopted (Lang/Muratore, unan.) approving agreement. (P.W. to handle)

CONSENT

19. Consider approving agreements containing hold harmless clauses to allow Pacific Telephone Company to provide the City with coin operated telephones. (New contracts are required with Pacific Telephone Company in order to receive compensation based on usage. Council approval for hold harmless provision is required. Revenue schedule with agenda. Resolution approving contracts needed.)

ACTION: Res. 83-159 adopted approving contracts. (Finance to handle)

CONSENT

20. Consider amending the current City Council policy for the disposal of scrap materials, waste oils, used batteries, dunnage, used tires, trimmed wood, wood chips and leaves as surplus City property and authorize their disposal by the Purchasing Officer at the best available market price on an on-going basis as necessary. (Memo with agenda. Resolution amending City Council policy needed.)

ACTION: Res. 83-160 adopted amending City Council policy. (Finance to handle)

CONSENT

21. Presentation of 1982-83 Budget Update/Outlook for 1983-84 Report, including proposed adjustments to the 1982-83 Budget.  
(Report with agenda. Resolution amending the 1982-83 Budget needed.)

ACTION: Res. 83-161 adopted amending the budget. (Finance to handle)

MISCELLANEOUS

22. Appointments

CONSENT

a. Designation of Councilmember Thomas Bright to serve as Vice Mayor for the ensuing year, pursuant to Section 603 of the Charter of the City of Modesto.  
(Memo with agenda. Resolution designating Thomas Bright as Vice Mayor needed.)

ACTION: Res. 83-162 adopted designating Thomas Bright as Vice Mayor. (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

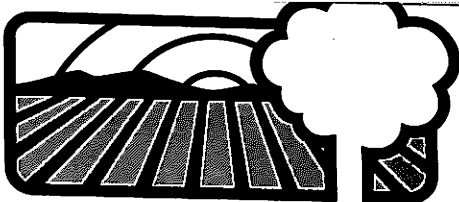
ADJOURNMENT

Meeting adjourned at 10:50 p.m.

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

\*\*\*\*\*

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for March 22, 1983, will not be held because there is no business to transact.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 5, 1983, 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, 4, 12, 13, 14, 15, 16,  
Removed from consent: 5, 11 17, 18, 19, 22, 23, 24, 25, 26, 27, 28,  
29, 30, 31, 32, 33, 34, 35

ACTION: (Bright/Whiteside, unan.)

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

### I. ACKNOWLEDGEMENTS AND PRESENTATIONS

Mrs. Teddi Hartman representing Scenic General Hospital Auxiliary, invited the City Council to their "Carnival of Health", to be held on April 17, 1983.

### MINUTES

#### CONSENT

2. Approval of the minutes of the March 22, 1983, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of Ord. No. 2179-C.S. rezoning from C-2 to P-D(337), property located on the northeast corner of Yosemite Boulevard and N. Riverside Avenue. (Creighton W. Brower)  
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2179-C.S. adopted. (Clerk to handle)

CONSENT

4. Report from Culture Commission regarding referral of request from McHenry Museum Society.  
(The Commission has reviewed the McHenry Museum Society's request to have the City accept Stanislaus County assessment rolls and other miscellaneous records covering the period 1854-1920. Report with agenda. Motion approving recommendation needed.)

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

5. Report regarding request from Fourth of July Committee.  
(Report responding to request from the Fourth of July Committee regarding 1983 Fourth of July celebrations with agenda. Resolution approving assistance for the Fourth of July Committee needed.)

ACTION: Res. 83-163 adopted (Whiteside/Lang, unan.) approving assistance for the Fourth of July Committee.

By motion, (Whiteside/Lang, unan.) the question of providing bus service was referred to the Council Transportation Committee. (P.R./ P.T./Finance/ Police/Fire)

HEARINGS

6. Hearing on amendment to the Zoning Ordinance regarding outdoor display and sales in commercial zones.

ACTION: By motion (Lang/Muratore, unan.) Ord. No. 2180-C.S. introduced.

Res. 83-164 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

7. Hearing on amendment to the Zoning Ordinance regarding motor vehicle fuel price signs (discounts for cash).

ACTION: By motion (Muratore/Bright, unan.) Ord. No. 2181-C.S. introduced.

Res. 83-165 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

8. Hearing to consider amending Sec. 29-3-9 of the Zoning Map to rezone from C-2 to P-D(338) for a two-story condominium office building and parking area at 1401 10th Street at the west corner of 10th and N Streets. (Robert Jacobsen & Associates.)

ACTION: By motion (Sutton/Whiteside, unan.) Ord. No. 2182-C.S. introduced.

Res. 83-166 adopted (same vote) approving plan.

Res. 83-167 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

9. Hearing to consider amending Sec. 2-3-8 of the Zoning Map to rezone from a portion of P-D(177), to R-2 & R-3 property located at the southwest corner of Dale Road and Pelandale Avenue. (Milton David)

ACTION: By motion (Lang/Sutton, unan.) Ord. No. 2183-C.S. introduced.

Res. 83-168 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

10. Hearing to consider issuance of up to \$7,000,000 of multi-family mortgage revenue bonds - Westdale Commons.  
(A hearing on this matter is required by Section 103(k)(2) of the Internal Revenue Code, the Tax Equity and Financial Responsibility Act of 1982.)

ACTION: By motion (Lang/Bright, unan.) Council indicated its intention to support the project and approve the issuance of the bonds. (Planning to handle)

By motion (Lang/Bright, majority, Whiteside and Mayor Mensinger-no) Council approval given to 44 units at 80% median income.

#### BIDS

11. Consider declaring Aqua-Aerobic Systems, Inc., low bidder meeting City specifications and authorize the purchase of ten power aerators for the total price of \$120,390. (Memorandum and letter from Sydnor Hydrodynamics, Inc. with agenda. Resolution awarding bid needed. Funds are budgeted.)

ACTION: Res. 83-169 adopted (Lang/Sutton, unan.) awarding bid. (Utilities Services/  
Finance to handle)

#### CONSENT

12. Consider approval of plans and specifications and call for bids for the construction of Muncy Park Pool.  
(Suggested bid opening: April 19, 1983, at 11:10 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$44,800 (Contract \$39,800; Engineering \$5,000 ); funds are budgeted.)

ACTION: Res. 83-170 adopted calling for bids. (Utilities Services to handle)

CONSENT

13. Consider approval of plans and specifications and call for bids for the construction of waterline extension on Lone Palm.  
(Suggested bid opening: April 19, 1983, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$45,775.04 (Contract \$43,184; Engineering \$2,591.04); funds are budgeted.)

ACTION: Res. 83-171 adopted calling for bids. (Utilities Services to handle)

CONSENT

14. Consider award of contract for the parking lot improvement at American Legion Hall on South Santa Cruz Avenue.  
(Bids were opened on March 22, 1983. The low bid of \$35,928.60, submitted by L. M. Roberts Construction, is 8% above the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department and the Parks Department that the contract be awarded to him. Resolution awarding contract to L. M. Roberts Construction needed. Funds are budgeted.)

ACTION: Res. 83-172 adopted awarding contract.) (Utilities Services to handle)

CONSENT

15. Consider award of contract for Ustick Drainage Area and waterline extension.  
(Bids were opened on March 29, 1983. The low bid, submitted by Stanfield and Moody, is 37% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to Stanfield and Moody needed.)

ACTION: Res. 83-173 adopted awarding contract. (Utilities Services to handle)

CONSENT

16. Consider accepting eight new bus fareboxes and authorize payment to General Farebox, Inc. (Memo with agenda. The eight fareboxes will be installed in the new buses the City will receive about 8-1-83. An approved UMTA grant will cover 80% (\$20,236.80) of the fareboxes' cost. The remaining 20% (\$5,059.20) will be covered by Local Transportation Funds. Resolution accepting farebox contract as complete and authorizing payment needed. Estimated cost: \$25,296; funds are budgeted.)

ACTION: Res. 83-174 adopted accepting farebox contract as complete. (P.T./Finance to handle)

CONSENT

17. Consider approving specifications and authorize call for bids to be opened April 26, 1983, at 2:00 p.m. for furnishing high pressure sodium ballasts.  
(Memorandum with agenda. Resolution approving specifications and calling for bids needed. Estimated cost: \$115,000; funds are budgeted.)

ACTION: Res. 83-175 adopted calling for bids. (Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

18. Request by Keith D. Vogt, President of Prime Productions, Inc. for permission to use Tuolumne River Regional Park and parking spaces at the airport for an "Ice Cream Jubilee" on Saturday, June 18, 1983.  
(Motion referring to staff needed.)

ACTION: By motion, request referred to staff.

(P.R. to handle)

CONSENT

19. Request by Geoffrey C. Hutcheson for permission to file a late claim on behalf of A. C. Love for alleged damages including false arrest.  
(Resolution denying request needed.)

ACTION: Res. 83-176 adopted denying request.

(Clerk to handle)

20.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

This item was taken out of order after item 8.

Felton Prescott and Mack Wilson commended the City on providing them with the King-Kennedy Center, and presented a plaque expressing appreciation to Monroe Taylor for his services.

NEW BUSINESS

21. Consider LAFCO questionnaire concerning annexation of the McHenry-Dry Creek Fire Protection District to the City of Modesto.  
(Residents of the fire district have initiated proceedings to annex all territory in the district, comprised of eight noncontiguous areas, to Modesto. LAFCO has referred the proposed annexation to Modesto for comment. Resolution approving response to LAFCO questionnaire needed.) (Held over from the March 8, 1983, City Council meeting.)

This item was taken out of order, following items 8 and 20.

Res. 83-177 adopted (Muratore/Bright, majority, Lang and Patterson-no) approving response to LAFCO questionnaire. (Planning to handle)

CONSENT

22. Consider approving amendment to agreement with Jerry E. and Rebecca L. Powell.  
(The Powells are the caretakers at the Mancini house in Mancini Park. Because of the residential use of the premises they cannot meet the insurance terms of their agreement. This amendment changes those requirements. Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 83-178 adopted approving amendment to agreement. (Utilities Services to handle)

CONSENT

23. Consider approving lease agreement with Hye Investments for the lease of 401 H Steet which is being used for the Housing Program office.  
(This is a one year renewal of an existing lease, all terms remain the same. Memo with agenda. Resolution approving lease agreement needed.)

ACTION: Res. 83-179 adopted approving lease agreement. (Utilities Serv. to handle)

CONSENT

24. Consider approving lease agreement with Roger L. and Mary A. Gish for the lease of future Aqueduct Park site.  
(This is a one year renewal of an existing lease. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 83-180 adopted approving agreement. (Utilities Serv. to handle)

CONSENT

25. Consider approving agreement with Gus J. and Georgia J. Papatone and Z.M.S. TEN for the purchase of Roselle Neighborhood School/Park site, and an agreement with the Papatones to lease the site.  
(The Papatones and Z.M.S. TEN have agreed to sell the required land for the appraised value of \$23,520 per acre for approximately 12.8± acres. The Papatones will lease the property back for approximately one year for \$850. Memo and map with agenda. Two resolutions approving agreements needed. Estimated total cost: \$306,056 (\$301,056 est. cost; \$5,000 est. escrow); funds are budgeted.)

ACTION: Res. 83-181 adopted approving agreement to purchase property.  
Res. 83-182 adopted approving agreement for lease of property acquired for the Roselle Neighborhood School/Park site. (Utilities Serv. to handle)

CONSENT

26. Consider cooperative agreement between Stanislaus County and City for the reconstruction of Scenic Drive from the County Hospital to Rose.  
(Memo with agenda. Resolution approving agreement needed. Estimated cost of City's portion: \$332,200. Funds are included in the 1982-83 and 1983-84 Capital Improvement Program.)

ACTION: Res. 83-183 adopted approving agreement. (Eng. to handle)

CONSENT

27. Consider approval of agreement between the City of Modesto and Robert Gauvreau.  
(The agreement would allow Robert Gauvreau to compile a photographic inventory of the collections located in the McHenry Museum. Memorandum with agenda. Resolution approving agreement needed. Estimated cost: \$13,000; funds are budgeted.)

ACTION: Res. 83-184 adopted approving agreement. (P.R. to handle)

CONSENT

28. 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 \$69,165.40 for expenditures by the City on community recreation for fiscal year 1982-83. This is an increase of \$5,976.90 from last year's allocations. Resolution approving agreement needed.)

ACTION: Res. 83-185 adopted approving agreement.

(P.R. to handle)

CONSENT

29. Consider setting Hearing of Necessity to acquire two right of way parcels needed for the Paradise/Ellen to Carpenter project. The properties are owned by Rudy and Mary A. Bonzi and Gary E. and Betty J. Bright.  
(Staff has made offers to acquire these parcels, but both the Bonzis and Brights have declined. Further negotiations are not expected to change the situation. Memo with agenda. Resolution setting hearing May 3, 1983, at 4:00 p.m. needed.)

ACTION: Res. 83-186 adopted setting hearing.

(Clerk to handle)

CONSENT

30. Consider proposed cooperative agreement with Stanislaus County to reconstruct and widen Paradise Road from Carpenter Road to Ellen Avenue.  
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$345,000. Funds are available in reserves. Council approval of appropriation transfer will be requested later.)

ACTION: Res. 83-187 adopted approving agreement.

(Eng. to handle)

CONSENT

31. Consider applying for second year funding for the Modesto Community Crime Resistance Grant Program.  
(Memorandum with agenda. Resolution approving application needed. Estimated cost: \$10,847 local match; funds are budgeted.)

ACTION: Res. 83-188 adopted approving application.

(Police to handle)

CONSENT

32. Consider amendment to Position Classification Plan to add a new class of Historical Buildings Supervisor.  
(This replaces one position of Recreation Supervisor. No change in salary. Memo with agenda. Resolution amending Position Classification Plan needed, and resolution amending alphabetical listing of classification in the salary resolution needed.)

ACTION: Res. 83-189 adopted amending Position Classification Plan.

Res. 83-190 adopted amending alphabetical listing of classification in the salary resolution.  
(Mgmt. Serv. to handle)

CONSENT

33. Consider excusing Councilmember Patterson for being absent on March 8, 1983, due to his attendance at the National League of Cities' Congressional-City Conference in Washington, D.C.  
(Motion excusing absence needed.)

ACTION: By motion, absence excused.

(Clerk to handle)

CONSENT

34. Consider request by Cinco de Mayo Committee to hold its annual celebration on May 7, 1983.  
(The Cinco de Mayo Committee, a local citizens committee, is seeking permission to hold a parade and a celebration in West Side Park for Cinco de Mayo on May 7, 1983. Memorandum with agenda. Resolution approving recommendation needed.)

ACTION: Res. 83-191 adopted approving recommendation.

(P.R. to handle)

MISCELLANEOUS

CONSENT

35. Legislation: Staff recommends:

SUPPORTING

- a) AB 366 (Bates) Traffic Barriers
- b) AB 504 (Vasconcellos) State-Mandated Local Cost Reimbursement
- c) AB 537 (Robinson) Aircraft Noises
- d) AB 647 (Bradley) Attorney's Fees in Public Interest Lawsuits
- e) AB 696 (Cortese) County Referral of Land Use Proposals to Cities
- f) SB 378 (Marks, McCorquodale) LAFCO Fees for Processing Annexations
- g) SB 575 (Foran) Tort Liability

OPPOSING

- h) SB 259 (Mello) Subdivisions: Local Limits on Development (Special Bill for Single Land Developer)
  - i) SB 778 (Dills) Compulsory and Binding Arbitration
  - j) SB 924 (Maddy) Expansion of Grand Jury "Investigations" to Cities
- (Memos and attachments with agenda. Motion accepting staff recommendations needed.)

ACTION: By motion, recommendations approved.

(Mgmt. Serv. to handle)

36. Appointments

ACTION: Res. 83-192 adopted (Muratore/Lang, unan.) approving Council appointments to various committees. (Clerk to handle)

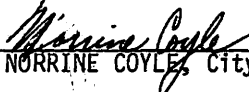
37. MATTERS TOO LATE FOR THE AGENDA  
(These may be presented by members of the City Council and staff.)


ACTION: Res. 83-193 adopted (Patterson/Whiteside, unan.) commending and congratulating Modesto High School Basketball Coachs and players on reaching the playoffs of the Northern California Regional Championships.

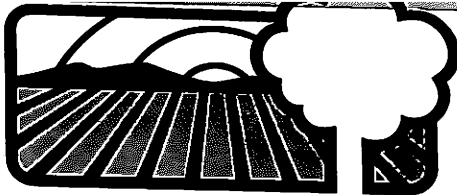
38. CLOSED SESSION  
(Closed session to discuss an employee relations matter and pending litigation.)

ADJOURNMENT

The meeting adjourned at 7:20 p.m. to a closed session to discuss an employee relations matter and pending litigation, to be held immediately following the Modesto Redevelopment Agency meeting.

ATTEST:   
NORRINE COYLE, City Clerk





# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 12, 1983, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Lang, Muratore, Patterson, Sutton,  
Whiteside, Mayor Mensinger  
(Councilmember Bright arrived at 7:35 p.m.)  
Absent: None

Pledge of allegiance to the Flag

Invocation: Councilmember Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 4a, 5, 6, 7, 10, 16, 17, 18, 20,  
Removed from consent: 9 21, 22, 23, 24, 25, 26, 27, 28, 29, 30,  
31, 32, 33

ACTION: (Lang/Muratore, unan.)

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

## ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation by the Modesto Melody Makers to commemorate Barbershop Harmony Month. After Mayor Mensinger officially proclaimed April as Barbershop Harmony Month, the Modesto Melody Makers sang the song "Modesto Town" written by W.S. Witzke.
2. Presentation to the Modesto High School Panthers basketball team. Mayor Mensinger presented resolutions of congratulations to Modesto High School basketball team members and coaches, and to School Principal Dick Lang.
3. Presentation of letter to the Valley Fever Booster Club designating the Valley Fever Drum and Bugle Corps as an official "Goodwill Ambassador for the City of Modesto."  
(Copy of letter with agenda.)  
Mayor Mensinger presented the letter to representatives of Valley Fever Drum and Bugle Corp. declaring the Corp. as a "Good will Ambassador" for the City of Modesto.

Association, on behalf of Modesto's Sister City, Barranquilla.

This item taken up after item 11.

ACTION: Mr. Giraldo presented the flag of Barranquilla to the City of Modesto and Mayor Mensinger presented a resolution reaffirming its Sister City relationship and a key to the City to Mr. Giraldo.

CONSENT

- a. Consider resolution reaffirming Modesto's continuing Sister City affiliation with Barranquilla, Colombia.  
(Memo with agenda. Resolution affirming affiliation needed.)

ACTION: Res. 83-194 adopted reaffirming affiliation. (Mayor to handle)

### MINUTES

CONSENT

5. Approval of the minutes of the April 5, 1983, regular City Council meeting.  
(Motion approving needed.)

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

### UNFINISHED BUSINESS

CONSENT

6. Report from Culture Commission regarding referral of request from Stanislaus County Historical Society.  
(The Commission has reviewed Stanislaus County Historical Society's request to waive rental fee for the use of the McHenry Museum Auditorium. Report with agenda. Motion denying request needed.)

ACTION: By motion, request denied. (P.R. to handle)

CONSENT

7. Consider approval of up to \$7,000,000 Multi-Family Mortgage Revenue Bond Issue - Westdale Commons.  
(The Council held a public hearing on this matter on April 5, 1983, and by motion indicated its intent to formally approve the bond issue subject to receipt and staff review of all of the necessary documents. Memo will detail the results of review. Resolution authorizing issuance of bonds, resolution authorizing monitoring agreement with Housing Authority, and resolution approving environmental assessment needed.)

ACTION: Res. 83-195 adopted approving agreement with Stanislaus County Housing Authority.  
Res. 83-196 adopted authorizing issuance of bonds.  
Res. 83-197 adopted certifying review of Environmental Assessment. (Planning to handle)

8. Consider answering Caltrans letter regarding train sensors on 9th Street.  
(Memo with agenda. Caltrans wants to proceed with the joint installation of sensors. The City Council had previously asked for a delay to January 3, 1983. Motion authorizing the Mayor to answer the letter requesting an indefinite postponement while train relocation is fully explored needed.)

ACTION: By motion (Muratore/Sutton, unan.) Mayor Mensinger authorized to request indefinite postponement. (P.T. to handle)

9. Consider approval of Ice Cream Jubilee to be held at the Tuolumne River Regional Park. (Staff has reviewed the proposed traffic flow and parking for the Ice Cream Jubilee with Keith Vogt. Staff is satisfied with the proposal and recommends approval of the request. Resolution approving the request needed.)

ACTION: Res. 83-198 adopted (Lang/Muratore, unan.) approving request. (P.R. to handle)

CONSENT

10. Final adoption of:

- a. Ord. No. 2180-C.S. relating to outdoor displays, sales and promotions in commercial zones.
- b. Ord. No. 2181-C.S. relating to sign regulations for motor vehicle fuel price signs (discounts for cash).
- c. Ord. No. 2182-C.S. rezoning from C-2 to P-D(338) property located at 1401 10th Street. (Robert Jacobsen, Inc.)
- d. Ord. No. 2183-C.S. rezoning from a portion of P-D(177) to R-2 and R-3 property located at the southwest corner of Dale Road and Pelandale Avenue. (Milton David)

(Motion adopting needed.)

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

HEARINGS

11. Hearing of Necessity to consider acquiring the Barry R. Vallerand et al property needed for the expansion of the City Service Yard.

ACTION: By motion (Patterson/Muratore, unan.) hearing continued to April 26, 1983, at 7:30 p.m. (Clerk to handle)

12. Hearing of Necessity to consider acquiring two easements needed for a bicycle trail from Della Farrell et al and Lena Capobianco.

ACTION: Res. 83-199 adopted (Lang/Bright, unan.) affirming necessity to acquire the property by eminent domain. (Utility Services)

13. Hearing to consider the appeal of Hillery Motors to a decision of the Board of Zoning Adjustment concerning signs located at 931 and 914 McHenry Avenue.

This item was continued before item 11.

ACTION: By motion (Patterson/Whiteside, unan.) hearing continued to May 10, 1983, at 7:30 p.m. (Clerk to handle)

14. Hearing to consider an amendment to P-D(285) to redesign a one and two-story condominium project and to amend Sec. 16-3-9 of the Zoning Map to rezone a portion of P-D(45), the Modesto Racquet Club, to P-D(285), to incorporate a portion of the Racquet Club property into the adjoining proposed condominium on the south side of Norwegian Avenue east of McHenry Avenue. (Fred A. Earle)

ACTION: By motion (Muratore/Patterson, unan.) Ord. No. 2184-C.S. introduced.  
Res. 83-200 adopted (same vote) approving plan.  
Res. 83-201 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

15. Hearing to consider amending Sec. 24-3-9 of the Zoning Map to rezone from P-D(204), allowing a zero lot line residential development, to R-1, property located on the north side of E. Orangeburg Avenue west of Claus Road.  
(Planning Commission initiated)

ACTION: By motion (Patterson/Whiteside, unan.) Ord. No. 2185-C.S. introduced.  
Res. 83-202 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

BIDS

CONSENT

16. Consider declaring P. E. O'Hair and Company low bidder and authorize the purchase of 22 backflow preventors from the firm for \$34,749.  
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 83-203 adopted authorizing purchase. (Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

17. Request by the County Planning and Community Development Department for formal action on the proposed Urban Transition Policy.  
(Motion referring to staff needed.)

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

CONSENT

18. Consider request by Capital Cities to renegotiate the cable television franchise and grant a new 15-year franchise with revised provisions.  
(Motion referring request to Council and staff CATV Committees needed.)

ACTION: By motion, request referred to CATV Committees. (Planning 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 agreement with Big Foot Remnant Shop for the acquisition of 0.03± acre of their property needed for the Scenic/County Hospital to Sunnyside project.  
(The owners of the Big Foot Remnant Shop agreed to sell the required right of way for the appraised value of \$15,200. Resolution approving agreement needed. Estimated total cost: \$17,200 (Cost \$15,200; est. escrow \$2,000); funds are budgeted.)

ACTION: Res. 83-204 adopted approving agreement. (Utilities Services)

CONSENT

21. Consider approval of an increase in the utility rate the City pays the Sylvan School District for the City's use of Somerset multipurpose facility.  
(The rate would increase from \$1.00 to \$2.10 per hour. Memorandum with agenda. Resolution approving an increase in the rate needed.)

ACTION: Res. 83-205 adopted approving an increase in the rate. (P.R. to handle)

CONSENT

22. Consider approval of agreement for reimbursement of sewer costs incurred by Be-Amadin Investments Co.  
(Be-Amadin Investments Co. has constructed a sewer lateral which serves property other than his own. The standard agreement provides for the City to reimburse him as monies are collected from adjacent property owners. Resolution approving agreement needed.)

ACTION: Res. 83-206 adopted approving agreement. (Utilities Services)

CONSENT

23. Consider changes to the City's Deferred Compensation Plan involving the inclusion of a new investment program, amending the contract with the present depository, and redefining the retirement age for accelerated deferrals.  
(Memo with agenda. Five resolutions approving the implementation of the recommended changes needed.)

ACTION: Res. 83-207 adopted approving agreement with ICMA/RC to administer new investment program.  
Res. 83-208 adopted approving amended agreement with Cal-Fed.  
Res. 83-209 adopted amending and restating mandatory deferred comp. plans for certain employees for the City and superceding Res. No. 81-1139.  
Res. 83-210 adopted approving a revised form of "voluntary deferred comp. agreement" and repealing Res. No. 81-1141.  
Res. 83-211 adopted amending and restating the voluntary deferred comp. plan for the employees for the City and superseding Resolution No. 81-1140. (Finance to handle)

CONSENT

24. Consider setting Hearing of Necessity to acquire four right of way parcels needed for the Oakdale/Briggsmore to Floyd project. (The properties are owned by Hashem Naraghi, Donald Gonsalves et al, Judith Lorete11 and Oliver Bauman. Staff has made offers to acquire these parcels but the owners have declined. Further negotiations are not expected to change the situation. Memo with agenda. Resolution setting hearing May 3, 1983, at 4:00 p.m. needed.)

ACTION: Res. 83-212 adopted setting hearing.

(Clerk to handle)

CONSENT

25. Consider approval of application for funds under the Federal Land and Water Conservation Fund Program for the construction of the restroom/utility building in Tuolumne River Regional Park. (Competitive grants are available through this funding program. A 50/50 local match is required on funded projects. Since Tuolumne River Regional Park meets the criteria, staff recommends application for \$25,000 for construction of the restroom/utility building. Resolution authorizing filing of an application needed.)

ACTION: Res. 83-213 adopted authorizing filing of an application.

(P.R. to handle)

CONSENT

26. Consider bicycle parking grant agreement. (California Department of Transportation will provide 84.1% grant financing for bicycle parking facilities (lockers and racks) to be placed in various locations downtown at City facilities. Total cost: \$6,600 (City share \$1,050); Resolution approving agreement and resolution adjusting annual budget to estimate revenue and appropriate the project cost needed. Funds are budgeted.)

ACTION: Res. 83-214 adopted approving agreement with the State to provide grant financing.

Res. 83-215 adopted adjusting annual budget to appropriate funds for the purchase of bicycle lockers and racks.

(Planning to handle)

CONSENT

27. Presentation of monthly financial statement for March, 1983. (Copies of report will be presented at meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

28. Consider approval of the final map and acceptance of improvements as complete in Buttonwillow Condominiums subdivision of the City of Modesto. (All improvements have been completed to the satisfaction of the Engineering Services Department and all fees have been paid. A subdivision agreement is not needed as the improvements are completed. Buttonwillow Condominiums is located at the northeastern corner of Kingswood Drive and Buttonwillow Drive, south of Sylvan Avenue. It contains 1.863 acres. Resolution approving final map and accepting the improvements needed.)

ACTION: Res. 83-216 adopted approving final map and accepting improvements as complete.

(Clerk to handle)

29. Consider amending the Dial-A-Ride fare structure resolution. (Memo with agenda. The words "and residing in board and care homes" were inadvertently left out as part of the qualifying statement for the special 50-cent cashfare. Resolution amending Res. No. 81-737 needed.)

ACTION: Res. 83-217 adopted amending the Dial-A-Ride fare structure resolution. (P.T. to handle)

CONSENT

30. Consider authorizing expenditure of School Site and Facilities Tax funds for Teel Senior Elementary School expansion. (Memo with agenda. Funds are partially budgeted. Resolution approving appropriation transfer of \$3,300 and resolution authorizing payment of \$96,900 for purchase of property needed.)

ACTION: Res. 83-218 adopted approving appropriation transfer.  
Res. 83-219 adopted authorizing payment for purchase of property. (Planning/Finance to handle)

CONSENT

31. Consider approving amendment to the City-County agreement on the allocation of property tax from annexed areas. (Memo with agenda. Resolution approving the amendment to agreement needed.)

ACTION: Res. 83-220 adopted approving the amendment to agreement. (Finance to handle)

CONSENT

32. Consider resolution establishing a Sister City/Twinning relationship with Vernon, British Columbia. (Memo with agenda. Resolution establishing a Sister City/Twinning relationship between the cities of Modesto and Vernon, British Columbia, Canada needed.)

ACTION: Res. 83-221 adopted establishing a Sister City/Twinning relationship with Vernon, British Columbia.

MISCELLANEOUS

CONSENT

33. Legislation: Staff recommends:

Opposing

- a. AB 130 (Floyd) Unemployment Benefits
- b. ACA 38 (Naylor) Local Tax Vote Requirements
- c. SCA 26 (Seymour) Local Tax Vote Requirements

Supporting

- d. AB 1629 (Bane/Seastrand) State and Local Bond Registration Act
- e. AB 1545 (Hannigan) Community Redevelopment

Opposing

- f. SB 617 (McCorquodale) Community Redevelopment

Legislation - Continued

Taking No Position

g. AB 1084 (Hughes) Community Redevelopment

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

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

34. Appointments

None

35. MATTERS TOO LATE FOR THE AGENDA

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

Councilmember Patterson discussed the high unemployment rate in the Modesto area and wondered what the Council could do about it.

ACTION: Res. 83-222 adopted (Lang/Whiteside, unan.) supporting an application for historic preservation grants-in-aid funds for an historic resources inventory project. (P.R. to handle)

36. CLOSED SESSION

(Closed session to consider employee relations.)

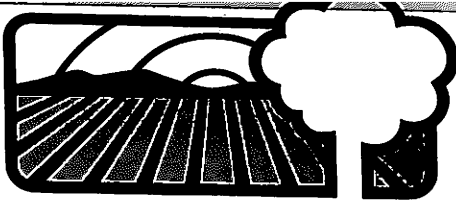
ADJOURNMENT

Meeting adjourned at 10:10 p.m. to a closed session to consider employee relations.

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

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The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for April 12, 1983, will not be held because there is no business to transact.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 19, 1983, AT 4:00 P.M.

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

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Mike Morris, Business and School Administrator, Big Valley Grace Community Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 6, 7, 9, 10, 11, 12,  
Dropped from consent: 14 13, 15, 16, 17, 18

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

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

## MINUTES

CONSENT

2. Approval of the minutes of the April 12, 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. 2184-C.S. rezoning from a portion of P-D(45) to P-D(285), property located on the south side of Norwegian Avenue east of McHenry Avenue. (Fred A. Earle III, Inc.)
- b. Ord. No. 2185-C.S. repealing P-D(204) and rezoning to R-1, property located on the north side of East Orangeburg Avenue west of Claus Road. (Planning Commission initiated)

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

BIDS

CONSENT

4. Consider approval of plans and specifications and call for bids for the installation of storm drainage on Fourth Street between J and K Streets. (Suggested bid opening: May 10, 1983, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$8,800 (Contract \$8,000; Engineering \$800); funds are budgeted.)

ACTION: Res. 83-223 adopted calling for bids.

(Eng. Services to handle)

CONSENT

5. Consider award of contract for the installation of alternative methane fuel program. (Bids were opened on April 12, 1983. The low bid of \$249,840, submitted by Bowers Company 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 Bowers Company needed. Funds are budgeted.)

ACTION: Res. 83-224 adopted awarding contract.

(Utility Services to handle)

CONSENT

6. Consider approving specifications and authorize call for bids to be opened May 17, 1983, at 2:00 p.m. for furnishing one brush chipper. (Requested by the Service Division, the brush chipper will be permanently dispatched to the Parks and Recreation Tree Division. The chipper is used by tree crews to clean up tree trimmings and 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. 83-225 adopted calling for bids.

(Finance to handle)

CONSENT

7. Consider waiving formal bid procedures and authorize the purchase of large lamps for the duration of fiscal year 1982-83 and to continue through 1-31-84 from the California State Department of General Services for the estimated total of \$23,000. (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. 83-226 adopted waiving formal bid procedures and authorizing purchase.  
(Finance to handle)

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

None

NEW BUSINESS

CONSENT

9. Consider approval of the City of Modesto Minority Business Enterprise Policy. (It is the policy of the City of Modesto to utilize minority business enterprises in all aspects of contracting to the maximum extent feasible. This policy sets forth the policy by which this program will be implemented. It was written to satisfy requirements of Federal Highway Administration for City eligibility for Federal funds. Memo with agenda. Resolution approving Minority Business Enterprise Policy needed.)

ACTION: Res. 83-227 adopted approving Minority Business Enterprise Policy.  
(Eng. Serv. to handle)

CONSENT

10. Consider partial transfer of interest in real property, Airport Clear Zone property, to Stanislaus County.  
(This is an action to convey the City of Modesto's interest in three properties to Stanislaus County and the City of Modesto as co-owners of the Airport. Memo with agenda. Resolution authorizing City Manager to execute grant deed needed.)

ACTION: Res. 83-228 adopted authorizing City Manager to execute grant deed.  
(Utility Serv. to handle)

CONSENT

11. Consider proposed changes in the Functional Classification of Streets and Urban Limits. (The basic changes in the urban limits are dictated by the 1980 Census. Public Works Directors in the Modesto Urban Area suggested revision of these urban limits for Federal Highway funding purposes only. These changes are needed to maintain the City's eligibility for Federal Aid Highway funds. Memo with agenda. Resolution approving changes in Urban Limits and Functional Classification of Streets needed.)

ACTION: Res. 83-229 adopted approving changes in Urban Limits and Functional Classification of Streets.  
(Eng. Serv. to handle)

CONSENT

12. Consider approving agreements with Southern Pacific Transportation Company and The Western Pacific Railroad Company to bore and jack an 8-inch casing for the 2-inch high pressure methane gas line and consider authorization for payment of encroachment fees to the above-named railroad companies.  
(Agreements are needed to allow the City of Modesto to encroach upon the railroad companies' right of way to install the 2-inch high pressure methane gas line for the City's alternative fuel program. Two resolutions approving agreements needed, and resolution authorizing payment of encroachment fees to the railroad companies needed. Estimated cost: \$500; funds are budgeted.)

ACTION: Res. 83-230 adopted approving agreement with Southern Pacific Transportation Co.  
Res. 83-231 adopted approving agreement with The Western Pacific Railroad Company.  
Res. 83-232 adopted authorizing payment of encroachment fees.  
(Utility Services to handle)

CONSENT

13. Consider request for sewer service to property outside City limits at 1114 Garden Avenue, located on the south side of Garden Avenue between Sutter Avenue and Colorado. (Owner: Mohamed D. Saleh)  
(The property owner has 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. 83-233 adopted approving agreement. (Eng. Serv. to handle)

14. Consider City-County Joint Transportation Committee recommendations on transit matters. (Memo with agenda. The Committee recommends that: special fare-free shuttle bus and Dial-A-Ride (DAR) service be provided on July 3 and 4, 1983; the Rodney Avenue area south of Yosemite Boulevard and east of Beard Avenue be added to the DAR service area; and that the DAR specifications be amended by addendum to allow bidders bidding on the DAR contract to bid either supplying five vehicles or 6 vehicles. Resolutions approving and authorizing the three recommended actions needed. Estimated cost: \$1,600; funds are budgeted.)

ACTION: Res. 83-234 adopted (Muratore/Lang, unan., Mayor Mensinger absent) approving special fare-free DAR service on July 3 and 4, 1983.  
Res. 83-235 adopted (same vote) approving the addition of the Rodney Avenue area to the DAR service.  
Res. 83-236 adopted (same vote) amending DAR specs. by addendum. (P.T. to handle)

CONSENT

15. Consider approving agreement allowing the subtrunk sewer extension charges to be spread over a period of time for an industrial parcel on Lone Palm Avenue. Owner: David B. Devine  
(Memo with agenda. Resolution agreement needed.)

ACTION: Res. 83-237 adopted approving agreement. (Eng. Serv. to handle)

CONSENT

16. Consider approving amendment to agreement with Mercury Refueling, Inc., dba Hawke Flying Service, Inc.  
(This amendment eliminates Hangar No. 1 and four tie-downs from Mercury's lease. Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 83-238 adopted approving amendment to agreement. (Utility Services to handle)

CONSENT

17. Resolution authorizing the City Manager to approve the rate increase for maintenance of Hewlett-Packard Water Automation Data Logger, System 9845B located in the Utility Services Department, Water Production Division, for \$7,968 per year.  
(Memorandum with agenda. Resolution authorizing City Manager to approve rate increase needed. Funds are budgeted.)

ACTION: Res. 83-239 adopted authorizing City Manager to approve rate increase. (Finance to handle)

MISCELLANEOUS

CONSENT

18. Legislation: Staff recommends:

Opposing

- a) AB 91 (Cortese) Firefighters' Procedural Bill of Rights Act
- b) AB 1599 (Costa) Housing Elements of General Plans
- c) AB 1672 (Bradley) Building Permit Review
- d) SB 956 (Dills) City Variations for Building Standards

Supporting

- e) ACA 18 (Hannigan) Financing Local Government
- f) SCA 23 (Garamendi) Financing Local Government
- g) AB 1989 (Naylor) Attorney's Fees in Public Interest Lawsuits

Taking No Position

- h) AB 40 (Nolan) Enterprise Zones
- i) AB 514 (M. Waters) Enterprise Zones

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

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

19. Appointments

None

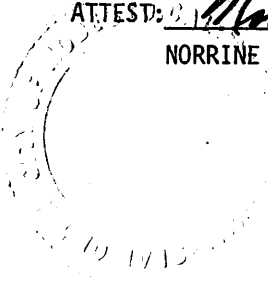
20. MATTERS TOO LATE FOR THE AGENDA  
(These may be presented by members of the City Council and staff.)

The Acting City Manager presented a calendar of Council budget review sessions.

ADJOURNMENT

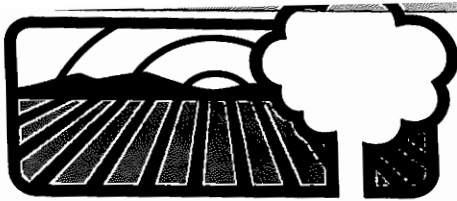
The meeting adjourned at 4:15 p.m.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk



\*\*\*\*\*

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for April 19, 1983, will not be held because there is no business to transact.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 26, 1983, 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. Claes Kooiman, Big Valley Grace Community Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 6, 8, 14, 15, 16,  
17, 18, 19a,

Removed from consent: 10

Dropped from agenda: 19b

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

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

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

### MINUTES

#### CONSENT

2. Approval of the minutes of the April 19, 1983, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

## HEARINGS

3. Hearing of Necessity to consider acquiring the Barry R. Vallerand et al property needed for the expansion of the City Service Yard. (Continued from April 12, 1983, City Council meeting.)

ACTION: Res. 83-240 adopted (Lang/Bright, unan., Patterson absent) adopting a Resolution of Necessity to acquire the property. (Atty. to handle)

## BIDS

### CONSENT

4. Consider approving specifications and authorizing call for bids to be opened May 17, 1983, at 2:05 p.m. for furnishing one service truck and van. (Requested by the Service Division, the service truck will be used for bus service calls to place stranded buses back into immediate service. The van will be used by parks crews to service the various parks facilities, sprinkler systems, etc. The service truck is new pool equipment, whereas the van is a replacement vehicle. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$36,500; funds are budgeted.)

ACTION: Res. 83-241 adopted calling for bids. (Finance to handle)

### CONSENT

5. Consider award of contract for the construction of waterline extension on Lone Palm. (Bids were opened on April 19, 1983. The low bid of \$35,857, submitted by Joe Martin Pipeline, Inc. is 17% below the engineer's estimate and considered acceptable. It is therefore recommended by the Engineering Department that the contract be awarded to him. Resolution awarding contract to Joe Martin Pipeline, Inc. needed. Funds are budgeted.)

ACTION: Res. 83-242 adopted awarding contract. (Eng. Services to handle)

### CONSENT

6. Consider award of contract to slurry seal and stripe commercial runway and overlay and stripe utility runway. (Bids were opened on April 19, 1983. The low bid of \$191,358.67, submitted by Granite Construction Company is 24% 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 Granite Construction Co. needed. Funds are budgeted.)

ACTION: Res. 83-243 adopted awarding contract. (Eng. Serv. to handle)

WRITTEN COMMUNICATIONS

7. Letter from Schmouel David concerning a sign at his store at 229 E. Coolidge Avenue.  
(Memo with agenda.)

ACTION: By motion (Lang/Muratore, unan., Patterson absent) this matter referred to staff to recommend some solutions along the lines discussed by the Council.  
(Planning to handle)

CONSENT

8. Request by Downtown Improvement District for permission to hold a sidewalk sale April 29 through May 1, 1983.  
(Motion approving needed.)

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

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

10. Consider signing between Modesto and the Bay Area.  
(Memo with agenda. The proposal is to route traffic via Highway 120 (Manteca) rather than Highway 132 (Maze Boulevard). Resolution favoring the Highway 120 routing and asking the County for a supporting resolution needed.)

ACTION: By motion (Lang/Bright, unan., Patterson absent) this item was continued to May 24, 1983.  
(Clerk to handle)

11. Consider the continued participation of the City of Modesto in the Stanislaus Drug Enforcement Agency.  
(Memorandum with agenda. No action is needed to continue the joint powers agreement. Resolution giving notice of intent to terminate participation needed if that option is chosen.)

ACTION: By motion (Whiteside/Sutton, majority, Muratore-no, Patterson absent) participation in the program during 1983-84 approved and staff to request that the joint powers agreement be amended to change the deadline for notification of termination from April 30 to May 31. By order of the Chair, staff directed to investigate, negotiate and evaluate the cost, participation and allocation of the program.  
(Police to handle)

12. Consider Urban Transition Policy.  
(The County Board of Supervisors has requested an Urban Transition Policy from the City Council. A proposed resolution reiterates positions taken by the Planning Commission on April 5, 1982--specifically that parcel splits in the Urban Transition Zone be treated the same as outside of the Urban Transition Zone--10 acre minimum parcel size. Memo with agenda. Resolution adopting Urban Transition Policy needed.)

ACTION: Res. 83-244 adopted (Sutton/Muratore, unan., Patterson absent) adopting an Urban Transition Policy  
(Planning to handle)

13. Consider proposals for essential air service for the City of Modesto to Los Angeles. (The City of Modesto must reply by April 29, 1983, to the Civil Aeronautics Board concerning recommendations for essential air service based upon proposals from six airlines. Memo with agenda. Motion authorizing Mayor to send letter indicating City's position needed.)

ACTION: By motion (Lang/Whiteside, unan., Patterson absent) Mayor Mensinger authorized to send letter indicating City's preference for Pacific Express, Inc. and advise the C.A.B. that the City of Modesto is not interested in redefining essential air service at this time.  
(Mgr. to handle)

CONSENT

14. Consider approving grant application for Federal funding to reconstruct approximately 17,000 square yards of general aviation aircraft parking apron, including drainage, tie-downs, and marking at the Modesto City-County Airport.  
(On January 11, 1983, the Council approved the submission of a preapplication to the FAA for a Federal grant in the amount of \$171,000 for this project at the Modesto City-County Airport. The tentative allocation has been received. It is recommended that the Council adopt a resolution authorizing the City Manager to execute the project application on behalf of the City. Memo with agenda. Resolution approving grant agreement needed. Estimated cost: \$190,000; funds are budgeted.)

ACTION: Res. 83-245 adopted approving grant agreement.  
(Utility Serv. to handle)

CONSENT

15. Consider approving agreement with Modesto Baseball Club., Inc., for the use of Del Webb Field.  
(This is a three-year renewal of an existing lease. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 83-246 adopted approving agreement.  
(Utility Serv. to handle)

CONSENT

16. Requirement for construction of curbs and/or sidewalks at the following locations.  
(Project No. 82/02/04 - 82/05/12)  
(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 May 10, 1983, at 7:30 p.m. needed.)
- a. Sidewalk along Escuelita Avenue at 145 Wilson Avenue, Lot A, Block 2016 (Vern R. Conger)
  - b. Sidewalk along Pequino Avenue at 215 Wilson Avenue, A portion of Block 2018 (Barney A. Hilburn)
  - c. Sidewalk along Pequino Avenue at 220 Wilson, A portion of Block 2030 (John A. Myrtakis)
  - d. Sidewalk along Escuelita Avenue at 138 Wilson Avenue, A portion of Block 2032 (Mae E. Smith)
  - e. Sidewalk at 125 Santa Ana Avenue, A portion of Block 2032 (Ruth E. Bauman)
  - f. Sidewalk at 175 Santa Ana Avenue, A portion of Block 2032 ( Edith M. Corson)
  - g. Sidewalk along Escuelita Avenue, and Santa Ana Avenue, at 179 Santa Ana Avenue, A portion of Block 2032 (Doris Jacobson)
  - h. Sidewalk at 171 Santa Ana Avenue, A portion of Block 2032 (Zelma Grissom)
  - i. Sidewalk along Santa Ana Avenue, at 1027 Yosemite Blvd., Lot 9 of Block 2032 (Ronald R. Haht)
  - j. Sidewalk at 127 Santa Ana Avenue, A portion of Block 2032 (Ploutz and Duncan)
  - k. Sidewalk at 123 Santa Ana Avenue, A portion of Block 2032 (Tarverdi & Isaac)
  - l. Sidewalk at 129 Santa Ana Avenue, A portion of Block 2032 (Vernal Richardson)
  - m. Sidewalk at 110 Las Palmas Avenue, A portion of Block 2016 (Abraham, Yohan, Miroo, and Yo'Hannan)
  - n. Sidewalk along Las Palmas Avenue, at 101 Village Road, Lot 1 of Block 259, (Cecil F. Brown)
  - o. Sidewalk at 130 Las Palmas Avenue, Lot N of Block 2016, (Holger E. Bystrom)
  - p. Curb at 169 Village Road, Lot 16, Block 259, (Robert A. Canfield)
  - q. Sidewalk at 133 Las Palmas Avenue, A portion of Block 260 (Bertha Delemos)
  - r. Sidewalk at 328 Las Palmas Avenue, A portion of Block 2020 (Dwain Forbus).

- s. Sidewalk at 136 Las Palmas Avenue, Lot 0 of Block 2016 (Michael Greenberg)
- t. Sidewalk at 112 Las Palmas Avenue, A portion of Block 2016, (Beth E. Hampton)
- u. Sidewalk at 211 Las Palmas Avenue, Lot 12 of Block 260, (Arthur J. Lucks)
- v. Sidewalk at 118 Las Palmas Avenue, A portion of Block 2016, (Alta McCabe)
- w. Sidewalk at 127 Las Palmas Avenue, A portion of Block 260 (David E. Menshew)
- x. Sidewalk at 203 Las Palmas Avenue, Lot 14 of Block 260, (Mary A. Moore)
- y. Curb along Village Road at 225 Las Palmas Avenue, A portion of Block 259 (Gary E. Thomas)
- z. Sidewalk at 207 Las Palmas Avenue, Lot 13 of Block 260 (Ratti & Bertolotti)
- aa. Sidewalk along Las Palmas Avenue at 217 Las Palmas Avenue, Lot 10 of Block 260 (Mable I. Thompson)
- bb. Sidewalk along Escuelita Avenue and Las Palmas Avenue at 142 Las Palmas Avenue, Lot P of Block 2106 (Lewis W. Reynolds)
- cc. Sidewalk at 124 Las Palmas Avenue, A portion of Block 2016 (John C. Santos)
- dd. Sidewalk along Las Palmas Avenue, at 102 Village Road, Lot 18 of Block 260 (Albert C. Severson)
- ee. Curb at 165 Village Road, A portion of Block 259 (Evert R. Stedman)
- ff. Sidewalk along Pequeno Avenue, and Las Palmas Avenue, at 220 Las Palmas Avenue, A portion of Block 2018 (Burrell Willett)

ACTION: Res. 83-247 adopted setting hearing.

(Clerk to handle)

**CONSENT**

17. Report of 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. Tabulation of properties, the owners, and the respective costs follows. Resolution setting hearing May 24, 1983, at 7:30 p.m. needed.)

- a. Sidewalk along Yosemite Blvd. at 1105 Yosemite Blvd., A portion of Block 2054 (Margaret E. Agen - \$658.00)
- b. Sidewalk at 1141 Allen Drive, Lot 11 of Block 1144, (James A. Biedenweg - \$268.00)
- c. Sidewalk at 1137 Allen Drive, Lot 10 of Block 1144, (Dennis F. Bunce - \$305.00)
- d. Sidewalk at 931 McHenry Avenue, A portion of Blocks 727 and 728 (Deet Eichel Enterprises - \$406.00)

- e. Sidewalk at 945 McHenry Avenue, Lots 1 and 6 of Block 728 (Elks B.P.O.E. No. 1282 - \$295.00)
- f. Sidewalk at 1437 Rose Avenue, Lot 14 of Block 1171. (Phillip Emery - \$312.00)
- g. Sidewalk along Yosemite Blvd. at 1915 Yosemite Blvd., A portion of Block 2185 (Glen W. Holm - \$766.00)
- h. Curb and Sidewalk along El Vecino Avenue at 610 El Cajon Avenue, Lot 10 of Block 607, (Helen E. Hunter - \$710.00)
- i. Curb and sidewalk along El Vecino Avenue at 614 El Cajon Avenue, Lot 9 of Block 607 ( Thomas D. Hutchings - \$757.00)
- j. Sidewalk along Yosemite Blvd. at 1503 Yosemite Blvd. A portion of Block 2126 (Sylvia Jacobs - \$538.00)
- k. Curb and Sidewalk at 112 Kerr Avenue, A portion of Block 2122 (Kentwood Enterprises - \$1,832.80)
- l. Sidewalk at 1538 Yosemite Blvd., A portion of Block 2122 (La Loma Properties - \$714.00)
- m. Sidewalk at 724 McHenry Avenue, A portion of Block 619 (Mellis & Mellis \$2,226.00)
- n. Sidewalk along Westwood Avenue, and Sunrise Avenue, at 1718 Sunrise Avenue, A Portion of Block 1286 (Natalie A. Merck - \$885.00)
- o. Sidewalk at 1309 McHenry Avenue, A portion of Block 6000-A ( J.P.E.C., Inc. \$1702.00)
- p. Curb and sidewalk along Nelson Avenue, at 409 E. Roseburg Avenue, A portion of Block 1126, (Richard R. Rhode - \$1,406.00)
- q. Sidewalk along Standiford Avenue, at 500 Standiford Avenue, A portion of Block 13017 (Velton D. Rogers - \$910.00)
- r. Sidewalk at 406 Las Palmas Avenue, A portion of Block 2027 (H.E. Sanders \$357.00)
- s. Sidewalk at 1714 Sunrise Avenue, A Portion of Block 1286 (Liliane M. Sar \$430.00)
- t. Sidewalk along McHenry Avenue, at 806 McHenry Avenue, A portion of Block 620 (Sundial Restaurant - \$792.00)
- u. Sidewalk at 941 McHenry avenue, Lot 2 of Block 728 (Tonda & Lyon - \$1,005.00)
- v. Sidewalk at 1717 Yosemite Blvd., A Portion of Block 2125-A (Torek Development \$859.00)

- w. Curb and sidewalk at 810 Standiford Avenue, A portion of Block 13112 (L. R. Van Horn, Jr. - \$3,860.00)
- x. Drive approach at 136 James Street, Lot 7 of Block 213 (Walter P. Wesson \$361.00)
- y. Curb and sidewalk along Nelson Avenue, at 1249 Nelson Avenue, A portion of Block 1127 (Glen R. Wood - \$2,592.00)
- z. Curb and Sidewalk at 424 Standiford Avenue, A portion of Block 13042 (Wendell L. Young - \$2,610.00)

ACTION: Res. 83-248 adopted setting hearing.

(Clerk to handle)

**CONSENT**

- 18. Consider excusing Mayor Mensinger for being absent on April 19, 1983, because of representing the League of California Cities at the California Farmlands Task Force meeting in Visalia.  
(Motion excusing absence needed.)

ACTION: By motion, absence excused.

(Clerk to handle)

MISCELLANEOUS

**CONSENT**

- 19a. Legislation: Staff recommends:

Opposing

- a. SB 637 (McCorquodale) Unlawful Employment Practices: Public Employer-Employee Relations
- b. AB 1356 (Floyd) Drug Paraphernalia
- c. AB 1512 (Alatorre) Preclusion of Use of Drivers License Information for Law Enforcement Purposes
- d. AB 1517 (Alatorre) Preemption of Local Control for Off-Track Betting

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

ACTION: By motion, staff recommendations approved.

(Mgmt. Services to handle)

- 19b. Legislation: Proposed Federal legislation on cable television.  
(Memo with agenda. Motion accepting staff report needed.)

Dropped from agenda

20. Appointments

ACTION: Res. 83-249 adopted (Whiteside/Muratore, unan., Patterson absent) appointing to the Modesto Youth Commission: John Turner, Michelle Smith and Eric Grant, terms to expire 12/1/83; and reappointed Georgia Andritsakis, term to expire 6/1/83.

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 employee relations.)

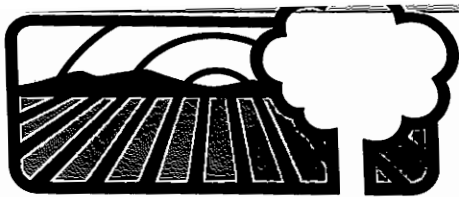
ADJOURNMENT

The meeting adjourned at 10:25 p.m. to closed session to consider employee relations.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

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The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for April 26, 1983, will not be held because there is no business to transact.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 3, 1983, 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. Lonnie Skiles, Big Valley Grace Community Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 26, 27, 28, 29

ACTION: (Muratore/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 April 26, 1983, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

3. Hearing to consider the appeal of Mid-Valley Engineering, on behalf of Arland DeHart, to a Board of Zoning Adjustment decision denying an application for a variance to allow conversion of an existing single-family dwelling to a duplex at 210 Alturas Avenue, on the northwest corner of Tuolumne Boulevard and Alturas Avenue.

ACTION: Res. 83-250 adopted (Muratore/Bright, majority, Patterson-no) granting appeal overruling the Board of Zoning Adjustment, and granting the variance.  
(Planning to handle)

4. Hearing of Necessity in connection with the acquisition of property for the Paradise - Ellen to Carpenter project. (Rudy Bonzi et ux and Gary E. Bright et ux)

ACTION: Res. 83-251 adopted (Lang/Bright, unan.) adopting Res. of Necessity to acquire Rudy Bonzi's property.  
Res. 83-252 adopted (Lang/Bright, unan.) adopting Res. of Necessity to acquire Gary E. Bright's property.

(Utility Services to handle)

5. Hearing of Necessity in connection with the acquisition of property for the Oakdale - Briggsmore to Floyd project. (Donald R. Gonsalves et al, Hashem Naraghi, Judith Lorelli, Oliver E. Bauman)

ACTION: Res. 83-253 adopted (Bright/Sutton, unan.) adopting Res. of Necessity to acquire Donald Gonsalves' property.  
Res. 83-254 adopted (same vote) adopting Res. of Necessity to acquire Hashem Naraghi's property.  
Res. 83-255 adopted (same vote) adopting Res. of Necessity to acquire Judith Lorelli's property.  
Res. 83-256 adopted (same vote) adopting Res. of Necessity to acquire Oliver Bauman's property.

(Utility Services to handle)

6. Hearing to consider modification for a one-year time extension to Phase 1 of the development schedule of P-D(242), and the repeal and rezoning to R-1 the remainder of the property located between Floyd Avenue and Merle Avenue, west of Roselle Avenue, extended. (Mt. Vernon Investment Group/Arlo Hilkey)

ACTION: By motion (Lang/Patterson, majority; Muratore, Sutton, Mayor Mensinger - no) approved repeal and rezoning of P-D(242) to R-1, Ord. No. 2186-C.S. introduced.  
Res. 83-257 adopted certifying the review of Environmental Assessment.

(Clerk/Planning to handle)

7. Hearing to consider modification for a one-year time extension to P-D(297) with a revised zero lot line development plan for Carpenter Plaza subdivision at the northeast corner of Carpenter Road and Houser Lane. (Valley Oak Development Co.)

ACTION: Res. 83-258 adopted (Lang/Whiteside, majority; Bright, Muratore, Mayor Mensinger-no) granting time extension and requiring the zero lot line development.

(Planning to handle)

Mayor Mensinger was excused at 5:22 p.m.

8. Hearing to consider repeal of P-D(202) and rezoning to R-2, property located on the south side of Rumble Road east of Sisk Road. (Paul Rumble)

ACTION: Res. 83-259 adopted (Muratore/Whiteside, majority; Lang - no, Mayor absent) overruling the Planning Commission and granting the time extension.

(Planning to handle)

BIDS

CONSENT

9. Consider approval of plans and specifications for the installation of electrical outlets at Tuolumne River Regional Park.  
(Suggested bid opening: May 24, 1983, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$12,000 (Contract \$10,000; Engineering \$2,000); funds are budgeted.)

ACTION: Res. 83-260 adopted calling for bids.

(Eng. Services to handle)

CONSENT

10. Consider approval of plans and specifications and call for bids for the reconstruction of Pump Station No. 4.  
(Suggested bid opening: May 24, 1983, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$75,000 (Contract \$70,000; Engineering \$5,000); funds are budgeted.)

ACTION: Res. 83-261 adopted calling for bids.

(Eng. Services to handle)

CONSENT

11. Consider acceptance of Boulder Construction's contract to strengthen water system west on Gloria Way and in alley in Block 1115. (Original contract: \$23,324)  
All work on this project has been completed to the satisfaction of the Engineering Services Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$22,975; funds are budgeted.)

ACTION: Res. 83-262 adopted accepting work as complete.

(Clerk to handle)

CONSENT

12. Consider approving specifications and authorizing the call for bids for furnishing rock, sand, and gravel products to be opened on May 24, 1983, at 2:00 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. 83-263 adopted calling for bids.

(Finance to handle)

CONSENT

13. Consider approving specifications and authorizing call for bids for furnishing tree lodge poles to be opened on May 24, 1983, at 2:30 p.m.  
(Requested by the Parks and Recreation Department, the lodge poles will be used by tree crews to support newly planted saplings. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$6,000; funds are budgeted.)

ACTION: Res. 83-264 adopted calling for bids.

(Finance to handle)

CONSENT

14. Consider declaring Center State Pipe and Supply low bidder on Item I and authorize the purchase of seven handicapped accessible drinking fountains for the total amount of \$4,067.20; and consider declaring Pipeline Products low bidder on Item II and authorize the purchase of one handicapped accessible drinking fountain for the total amount of \$562.86.  
(Memorandum with agenda. Resolution authorizing purchase from Center State Pipe and Supply needed, and resolution authorizing purchase from Pipeline Products needed. Funds are budgeted.)

ACTION: Res. 83-265 adopted authorizing purchase from Center State Pipe and Supply.  
Res. 83-266 adopted authorizing purchase from Pipeline Products.  
(Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

15. Request by Downtown Improvement District that a study be made of the in-lieu parking regulations and the viability of a Downtown Parking District.  
(Motion referring to staff needed.)

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

CONSENT

16. Application by Delta Paper Stock, Inc. for a license to collect salvageable waste in the City of Modesto.  
(Resolution setting hearing May 24, 1983, at 7:30 p.m. needed.)

ACTION: Res. 83-267 adopted setting hearing. (Clerk to handle)

CONSENT

17. Consider request for free rides on Intracity Transit on Saturday, June 11, 1983.  
(Memo with agenda. The free rides, requested by the Stanislaus County Solar and Energy Conservation Faire Association, would help promote the 1983 Energy Conservation Faire. Motion authorizing the free rides needed. Estimated cost: \$450 in foregone passenger fares.)

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

CONSENT

18. Consider request for free Dial-A-Ride (DAR) and Intracity Transit (IT) rides to senior citizens on Saturday, May 21, 1983.  
(Memo with agenda. The free rides, requested by the Stanislaus County Commission on Aging in conjunction with the Area Agency on Aging and the Modesto Junior College, would help promote the 1983 Senior Awareness Day. Motion authorizing the free rides needed. Estimated cost: \$200 in foregone farebox revenues.)

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

19.

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

Daniel Marsh spoke about the use of funds which the City might get to provide jobs.

NEW BUSINESS

20. Consider approving request of Modesto High School Centennial Committee for direct City assistance for the Modesto High School Centennial Celebration on Saturday, June 4, 1983.  
(Memo with agenda. Motion accepting staff recommendation needed. Estimated cost: \$1,259.68; funds are budgeted.) (Councilmember Lang excused due to a conflict of interest.)

ACTION: By motion (Muratore/Sutton, unan., Lang and Mayor Mensinger absent) recommendation approved. (Police to handle)

CONSENT

21. Consider Water Conservation Program for summer of 1983.  
(Staff recommends adoption of a Water Conservation Program again this summer, including a Council resolution prohibiting outside watering of landscaped areas from 4 p.m. until 8 p.m., June 1, 1983, through August 31, 1983, each day except Sunday. Memo with agenda. Resolution approving Water Conservation Program needed. Estimated cost: \$9,400; funds are budgeted.)

ACTION: Res. 83-268 adopted approving Water Conservation Program. (Utility Services to handle)

CONSENT

22. Consider modifying the Fixed Base Operator Guidelines for the Modesto City-County Airport.  
(Staff recommends the adoption of revised Fixed Base Operator Guidelines which include a change in insurance requirements and provide new guidelines for the development of FBO land parcels which are shown in the Airport Master Plan. Memo with agenda. Resolution approving revised Fixed Base Operator Guidelines needed.)

ACTION: Res. 83-269 adopted approving revised Fixed Base Operator Guidelines. (Utility Services to handle)

CONSENT

23. Consider approving lease agreement with Pauline Lorraine Gomes and Michael Castro for the lease of the City-owned house at 660 El Vista.  
(Mrs. Gomes and her son will pay the City \$475 per month, pay the taxes and maintain the house. This is a one-year lease. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 83-270 adopted approving agreement. (Utility Services to handle)

CONSENT

24. Consider approving hold harmless agreement with Stanislaus County for the use of two prisoner transportation vans and one bus.  
(The agreement is required by the County for Police Department use of two prisoner transportation vans and one bus owned by the County of Stanislaus on June 11 and 12, 1983. Resolution approving agreement needed.)

ACTION: Res. 83-271 adopted approving agreement.

(Police to handle)

CONSENT

25. Consider transfer of funds in Modesto City-County Airport budget.  
(Additional funding needed for two projects: (1) costs incurred by City forces for additional asphalt paving needed for T-Hangar "J" construction; and (2) change order required when contractor was required to repair heating pipes in floor not shown on plans. Memo with agenda. Two resolutions approving transfer of funds needed.)

ACTION: Res. 83-272 adopted approving additional costs on T-Hangar J construction project.

Res. 83-273 adopted approving appropriation transfer for modification of terminal rest rooms at airport.  
(Utility Services/Finance to handle)

CONSENT

26. Consider excusing Councilmember Patterson for being absent on April 26, 1983, due to his attendance at a National League of Cities committee meeting.  
(Motion excusing absence needed.)

ACTION: By motion, absence excused.

(Clerk to handle)

CONSENT

27. Consider authorizing City Manager to rescind a loan agreement with the California State Energy Commission, approved by Resolution No. 83-51, dated January 15, 1983, for the conversion of street lights to sodium vapor lights.  
(The loan for \$166,423 at an interest rate of 9.75% is no longer economically attractive to the City. Project costs can be financed as currently budgeted at lower total cost. Memo with agenda. Resolution rescinding loan agreement needed.)

ACTION: Res. 83-274 adopted rescinding loan agreement.

(Utility Services to handle)

CONSENT

28. Presentation of 1983-84 Preliminary Budget and Four-Year Capital Improvement Program 1983-84 through 1986-87.  
(Copies of both documents will be presented at the meeting. Resolution setting public hearing June 7, 1983, at 4:00 p.m. needed.)

ACTION: Res. 83-275 adopted setting hearing.

(Clerk to handle)

MISCELLANEOUS

CONSENT

29. Legislation: Staff recommends:

Supporting

- a) SB 247 (Davis) Public Works Wages
- b) AB 1313 (Rogers) Public Works Wages
- c) AB 1659 (Farr) Community Energy Authorities

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

ACTION: By motion, recommendations approved.

(Mgmt. Services to handle)

30. Appointments

None

31.

MATTERS TOO LATE FOR THE AGENDA

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

None

32.

CLOSED SESSION

(Closed session to consider pending litigation.)

ADJOURNMENT

The meeting adjourned at 6:05 p.m. to closed session to consider pending litigation and then to 3:00 p.m. on Monday, May 9, 1983, in the Council Chambers, City Hall, to review the budget.

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

\*\*\*\*\*

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for May 3, 1983, will not be held because there is no business to transact.

Adjourned Regular Meeting  
Modesto City Council  
May 9, 1983

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: Councilmembers: None

The following budgets were reviewed:

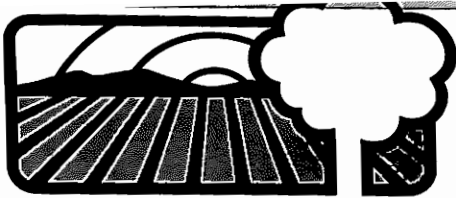
City Council  
City Manager  
Management Services  
    Administrative/Governmental Relations  
    Citizens Information Service  
    Personnel  
    Word Processing Center  
    Microfilm and Records  
    Office Services  
    Insurance  
    Risk Management  
    City Self-Insurance  
City Attorney  
City Clerk/Auditor  
Planning and Community Development  
    Housing and Community Development  
    Redevelopment Agency  
Downtown Improvement District  
Police  
    Administration  
    Administrative Services  
    Stanislaus County Drug Enforcement Unit

Councilmember Lang left at 5:05 p.m.

The meeting adjourned at 5:08 p.m.

ATTEST:

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



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 10, 1983, 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: Dr. Paul Calhoun, Elder, Big Valley Grace Community Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30

Removed from Consent: 12

ACTION: (Bright/Whiteside, unan.)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving 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 3, 1983, regular City Council meeting.  
(motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

### UNFINISHED BUSINESS

3. Final adoption of Ord. No. 2186-C.S. rezoning a portion of P-D(242) to R-1, property located on the south side of Floyd Avenue, the north side of Merle Avenue and west side of Roselle Avenue extended. (Mt. Vernon Investment Group/ Arlo Hilkey)  
(Motion adopting needed.)

ACTION: By motion (Lang/Sutton, majority, Muratore, Sutton, Mayor Mensinger - no) Ord. No. 2186-C.S. adopted.

### HEARINGS

4. Hearing to consider the appeal of Hillery Motors to a decision of the Board of Zoning Adjustment concerning signs at 931 and 914 McHenry Avenue.  
(Continued from Council meeting of April 12, 1983.)

ACTION: Res. 83-276 adopted (Muratore/Bright, majority, Patterson-no) denying appeal and upholding the Board of Zoning Adjustment decision.  
(Planning to handle)

5. Hearing to consider notices to construct sidewalk improvements along the following streets in the City of Modesto: (Santa Ana Avenue and Las Palmas Avenue area)
  - a. Sidewalk along Escuelita Avenue at 145 Wilson Avenue, Lot A, Block 2016  
(Vern R. Conger)
  - b. Sidewalk along Pequino Avenue at 215 Wilson Avenue, A portion of Block 2018  
(Barney A. Hilburn)
  - c. Sidewalk along Pequino Avenue at 220 Wilson, A portion of Block 2030  
(John A. Myrtakis)
  - d. Sidewalk along Escuelita Avenue at 138 Wilson Avenue, A portion of Block 2032  
(Mae E. Smith)
  - e. Sidewalk at 125 Santa Ana Avenue, A portion of Block 2032 (Ruth E. Bauman)
  - f. Sidewalk at 175 Santa Ana Avenue, A portion of Block 2032 ( Edith M. Corson)
  - g. Sidewalk along Escuelita Avenue, and Santa Ana Avenue, at 179 Santa Ana Avenue, A portion of Block 2032 (Doris Jacobson)
  - h. Sidewalk at 171 Santa Ana Avenue, A portion of Block 2032 (Zelma Grissom)
  - i. Sidewalk along Santa Ana Avenue, at 1027 Yosemite Blvd., Lot 9 of Block 2032  
(Ronald R. Haht)

- j. Sidewalk at 127 Santa Ana Avenue, A portion of Block 2032 (Ploutz and Duncan)
- k. Sidewalk at 123 Santa Ana Avenue, A portion of Block 2032 (Tarverdi & Isaac)
- l. Sidewalk at 129 Santa Ana Avenue, A portion of Block 2032 (Vernal Richardson)
- m. Sidewalk at 110 Las Palmas Avenue, A portion of Block 2016 (Abraham, Yohan, Miroo, and Yo'Hannan)
- n. Sidewalk along Las Palmas Avenue, at 101 Village Road, Lot 1 of Block 259, (Cecil F. Brown)
- o. Sidewalk at 130 Las Palmas Avenue, Lot N of Block 2016, (Holger E. Bystrom)
- p. Curb at 169 Village Road, Lot 16, Block 259, (Robert A. Canfield)
- q. Sidewalk at 133 Las Palmas Avenue, A portion of Block 260 (Bertha Delemos)
- r. Sidewalk at 328 Las Palmas Avenue, A portion of Block 2020 (Dwain Forbus)
- s. Sidewalk at 136 Las Palmas Avenue, Lot O of Block 2016 (Michael Greenberg)
- t. Sidewalk at 112 Las Palmas Avenue, A portion of Block 2016, (Beth E. Hampton)
- u. Sidewalk at 211 Las Palmas Avenue, Lot 12 of Block 260, (Arthur J. Lucks)
- v. Sidewalk at 118 Las Palmas Avenue, A portion of Block 2016, (Alta McCabe)
- w. Sidewalk at 127 Las Palmas Avenue, A portion of Block 260 (David E. Menshew)  
DROPPED FROM AGENDA - WORK COMPLETED
- x. Sidewalk at 203 Las Palmas Avenue, Lot 14 of Block 260, (Mary A. Moore)
- y. Curb along Village Road at 225 Las Palmas Avenue, A portion of Block 259 (Gary E. Thomas)
- z. Sidewalk at 207 Las Palmas Avenue, Lot 13 of Block 260 (Ratti & Bertolotti)
- aa. Sidewalk along Las Palmas Avenue at 217 Las Palmas Avenue, Lot 10 of Block 260 (Mable I. Thompson)
- bb. Sidewalk along Escuelita Avenue and Las Palmas Avenue at 142 Las Palmas Avenue, Lot P of Block 2106 (Lewis W. Reynolds)
- cc. Sidewalk at 124 Las Palmas Avenue, A portion of Block 2016 (John C. Santos)
- dd. Sidewalk along Las Palmas Avenue, at 102 Village Road, Lot 18 of Block 260 (Albert C. Severson)
- ee. Curb at 165 Village Road, A portion of Block 259 (Evert R. Stedman)
- ff. Sidewalk along Pequeno Avenue, and Las Palmas Avenue, at 220 Las Palmas Avenue, A portion of Block 2018 (Burrell Willett)

ACTION: By motion (Lang/Muratore, unan.) this matter was referred to staff to talk to the  
(continued)

5. (Continued) School District regarding its time table and plans for sidewalks at Wilson School, check on drainage problems, identify individual parcels that might have a more urgent need for sidewalks, and costs of sidewalk installation. (Report back to Council June 7, 1983) (Utility Serv. to handle)
6. Hearing to consider an amendment to Sections 23-3-9 and 26-3-9 of the Zoning Map to rezone from R-1 to R-2, property located on the south side of Scenic Drive east of Oakdale Road. (David Cerutti)

ACTION: By motion (Muratore/Lang, unan.) Ord. No. 2187-C.S. introduced.

Res. 83-277 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

7. Hearing to consider the appeal of Mid-Valley Engineering, on behalf of Rettig Bros., to a Planning Commission decision denying an application to rezone from R-1 to P-D, property located at 2612 Woodland Avenue.

ACTION: By motion (Lang/Sutton, majority, Bright, Patterson, Mayor Mensinger-no) Ord. No. 2188-C.S. introduced.

Res. 83-278 adopted (same vote) approving plan.

Res. 83-279 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

### BIDS

#### CONSENT

8. Consider approval of plans and specifications and call for bids for construction of service road at the Modesto City-County Airport. (ADAP No. 6-06-0153-09) (Suggested bid opening: June 7, 1983, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$44,248.55 (Contract \$38,477; engineering \$5,771.55); funds are budgeted.)

ACTION: Res. 83-280 adopted calling for bids.

(Eng. Services to handle)

#### CONSENT

9. Consider approving specifications and authorizing call for bids to be opened May 31, 1983, at 2:30 p.m. for furnishing annual compaction and aggregate testing services. (The compaction and aggregate tests will be performed on various City street, water or construction projects and the services will be purchased intermittently throughout the 1983-84 fiscal year. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$36,000; funds included in proposed 1983-84 budget.)

ACTION: Res. 83-281 adopted calling for bids.

(Finance to handle)

CONSENT

10. Consider approving specifications and authorize call for bids to be opened May 31, 1983, at 2:10 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 1983-84 fiscal year. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$10,100; funds included in proposed 1983-84 budget.)

ACTION: Res. 83-282 adopted calling for bids.

(Finance to handle)

CONSENT

11. Consider approving specifications and authorizing call for bids to be opened May 31, 1983, at 2:00 p.m. for furnishing annual requirements of liquid chlorine. (An annual requirement, the liquid chlorine bid 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 year. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$111,000; funds included in proposed 1983-84 budget.)

ACTION: Res.83-283 adopted calling for bids.

(Finance to handle)

12. Consider approving specifications and authorize call for bids to be opened May 31, 1983, at 2:20 p.m. for furnishing landscape maintenance services. (Currently, landscape maintenance services are being provided by City crews for City Hall and traffic islands, and services are contracted to private landscaping firms for the sewer treatment plant, pump and lift stations, and Police grounds. Staff will again evaluate bids this year to compare the contractors' figures against the City's estimated costs to perform the same service for each particular area. Should the contractors' figures exceed City estimates, Parks and Utility Services will recommend their crews perform the service for each area in question. Estimated cost: \$45,700; funds are included in the proposed 1983-84 budget. Resolution approving specifications and authorizing call for bids needed.)

ACTION: Res. 83-284 adopted (Whiteside/Lang, majority, Patterson-no) calling for bids.  
(Finance to handle)

CONSENT

13. Consider award of contract for the construction of Muncy Park pool. (Bids were opened on April 19, 1983. The low bid of \$50,500, submitted by Red Whale Pools, is 20% above the engineer's estimate and considered acceptable. It is therefore recommended by the Engineering Department and the Parks and Recreation Department that the contract be awarded to them. Memo and bid tab with agenda. Resolution awarding contract to Red Whale Pools needed. Funds are budgeted.)

ACTION: Res. 83-285 adopted awarding contract.

(Eng. Serv. to handle)

CONSENT

14. Consider declaring Consolidated Electric low bidder on Items I, II and III; and authorize the purchase of approximately 2,150 high pressure sodium ballasts from the firm for the total price of \$77,290. (Memorandum with agenda. Resolution authorizing purchase of ballasts from Consolidated Electric needed. Funds are budgeted.)

ACTION: Res. 83-286 adopted authorizing purchase.

(Finance to handle)

CONSENT

15. Consider repair of front end loader truck for the Utilities Department. (The front end loader truck No. 40297 in the Street Cleaning Division requires a new front end loader assembly in order to maintain the truck in active operation. Memo with agenda. Resolution waiving formal bid procedure and authorizing the purchase of repair services from P-B Sales Co. needed. (Five affirmative votes needed.) Estimated cost: \$5,314.46; funds are budgeted.)

ACTION: Res. 83-287 adopted authorizing purchase.

(Finance to handle)

CONSENT

16. 1) Consider waiving formal bid procedures and authorize the purchase of two archiving workstations, five standard workstations, one band printer and one personal computer from Wang Laboratories, Inc. for the total price of \$58,050.
- 2) Consider waiving formal bid procedures and authorize the purchase of three daisy wheel printers from Continental Resources for the total price of \$15,264.
- (Memorandum with agenda. Two resolutions waiving formal bid procedures and authorizing purchase of word processing and computer equipment needed. (Five affirmative votes needed.) Estimated cost: \$73,314; funds are budgeted.)

ACTION: Res. 83-288 adopted waiving formal bid procedures and authorizing purchase from Wang Laboratories, Inc.

Res. 83-289 adopted waiving formal bid procedures and authorizing purchase from Continental Resources.

(Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

17. Request by Downtown Improvement District for permission to hold sidewalk sale May 18 through May 21, 1983. (Motion approving needed.)

ACTION: By motion, request approved.

(Planning to handle)

CONSENT

18. Letter from C. K. Gottschalk submitting resignation from the Airport Advisory Committee. (Resolution accepting resignation with regret needed.)

ACTION: Res. 83-290 adopted accepting resignation with regret.

(Clerk to handle)

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

None

NEW BUSINESS

CONSENT

20. Consider adoption of a resolution commending the 22 Modesto Police Reserves for their contributions to the City of Modesto's community welfare and safety. (This is a yearly action to commend the Reserve Officers who volunteer services without pay for the supplementary crime protection of the citizens of Modesto. During 1982, 7,043 hours were donated. Resolution commending Reserves needed.)

ACTION: Res. 83-291 adopted commending Reserves. (Police to handle)

CONSENT

21. Consider accepting staff recommendation to provide direct City assistance for the S & W Modesto Invitational Track Meet (formerly Cal Relays) on Saturday, May 14, 1983. (Memo with agenda. Motion accepting staff recommendation needed. Estimated cost: \$1,289; funds are budgeted.)

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

CONSENT

22. Consider eliminating part-time angle parking on the southwest side of 15th Street between F and H Streets. (Memo with agenda. Angle parking on Sundays and evenings is no longer needed because there is adequate off-street parking. Resolution amending Res. No. 69-871 needed. Estimated cost for removing signs: \$25; funds are budgeted.)

ACTION: Res. 83-292 adopted amending Res. No. 69-871. (P.T. to handle)

CONSENT

23. Consider approving amendment to lease agreement with Donald H. and Margaret D. Scott for the lease of Riverside Park site. (This is an amendment to change the rental on this property from 30% to 20% of the proceeds. Memo with agenda. Resolution approving amendment to lease agreement needed.)

ACTION: Res. 83-293 adopted approving amendment to agreement. (Utility Serv. to handle)

CONSENT

24. Consider approving an amendment to lease agreement with Donald H. and Margaret D. Scott for their lease of a portion of the former Bomberger property.  
(This amendment eliminates a barn form the Scott lease. Memo with agenda. Resolution approving amendment to lease agreement needed.)

ACTION: Res. 83-294 adopted approving amendment to agreement. (Utility Serv. to handle)

CONSENT

25. Consider approving amendment to lease agreement with John and Paula Humphrey for their lease of 2840 Lincoln Avenue.  
(This is an amendment to include the lease of a barn adjacent to their house. Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 83-295 adopted approving amendment to agreement. (Utility Serv. to handle)

CONSENT

26. Consider approving lease agreement with Jerry Benjamin Hensley for the lease of the old sewer ponds sites and Bonzi dump sites.  
(Mr. Hensley has agreed to lease the subject property for approximately one year. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 83-296 adopted approving agreement. (Utility Serv. to handle)

CONSENT

27. Presentation of monthly financial statement for April, 1983.  
(Copies of report will be presented at meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of financial statement acknowledged.

CONSENT

28. Consider a Citizens Housing and Community Development Committee recommendation to approve and submit a Housing Assistance Plan to H.U.D. pursuant to our Community Development Block Grant program.  
(H.U.D. regulations require an approved Housing Assistance Plan before authorization to draw down any Community Development Block Grant funds. Memo with agenda. Resolution authorizing City Manager to submit the Housing Assistance Plan to H.U.D. needed.)

ACTION: Res. 83-297 adopted authorizing City Manager to submit the Housing Assistance Plan to H.U.D. (Planning to handle)

29. Recommend to the City Council amendments to the Standard Specifications.  
(On April 18, 1983, the Planning Commission adopted Res. No. 83-60 recommending to the City Council amendments to the City of Modesto Standard Specifications. Resolution amending Standard Specifications needed.)

ACTION: Res. 83-298 adopted (Bright/Whiteside, unan.) amending Standard Specifications. (Eng. Serv. to handle)

MISCELLANEOUS

CONSENT

30. Legislation: Staff recommends:

Supporting

SCR 8 (Marks) Vote Requirement for State-Mandated Local Program Bills

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

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

31. Appointments

None

32.

MATTERS TOO LATE FOR THE AGENDA

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

None

ADJOURNMENT

The meeting adjourned at 10:45 p.m. to 3:00 p.m. Thursday, May 12, 1983, in the City Hall Council Chambers and then will adjourn to closed session to consider an employee relations matter.

ATTEST:

  
NORRINE COYLE, City Clerk

\*\*\*\*\*

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for May 10, 1983, will not be held because there is no business to transact.

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

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

Councilmember Patterson arrived at 3:10 p.m.  
Councilmember Sutton left at 3:20 p.m., returned at 4:30 p.m.

Absent: Councilmembers: Muratore, Whiteside

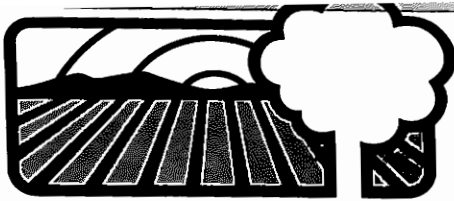
The following budgets were reviewed:

- Police
  - Investigation services
  - Field Operations
  - Animal Control Operations
- 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
  - Culture 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

The meeting adjourned at 4:35 to closed session to consider an employee relations matter.

ATTEST:

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



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 17, 1983, AT 4:00 P.M.

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

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Mr. Denny Carl, Modesto Covenant Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 6, 7, 8, 9, 11,  
14, 15, 16, 17, 18, 19

Item 10 dropped from agenda

Removed from consent: 12

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

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving 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 May 9, 1983, and the May 10, 1983, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of Ord. No. 2187-C.S. rezoning from R-1 to R-2, property located on the south side of Scenic Drive east of Oakdale Road. (David Cerutti)  
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2187-C.S. adopted. (Clerk to handle)

4. Final adoption of Ord. No. 2188-C.S. rezoning from R-1 to P-D, property located at 2612 Woodland Avenue. (Rettig Bros.)  
(Motion adopting needed.)

ACTION: By motion (Lang/Sutton, majority, Patterson and Bright-no, Mayor Mensinger-absent)  
Ord. No. 2188-C.S. adopted. (Clerk to handle)

HEARINGS

5. Hearing to consider an amendment to P-D(127), property located at the northeast corner of Oakdale Road and East Orangeburg Avenue to establish a family amusement machine center. (Jerold Rosenthal)

ACTION: By motion, Ord. No. 2189-C.S. introduced. (Lang/Muratore, unan., Mayor Mensinger absent)

Res. 83-299 adopted (same vote) amending plan. (Clerk to handle)

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids for second layer slurry seal - downtown City streets.  
(Suggested bid opening: June 7, 1983, at 11:05 a.m. Resolution approving plans and specifications and authorizing bid call needed. Estimated cost: \$43,903.20 (Contract \$39,912.00; Engineering \$3,991.20); funds are budgeted.)

ACTION: Res. 83-300 adopted calling for bids. (Eng. Serv. to handle)

CONSENT

7. Consider approving specifications and authorize call for bids to be opened June 7, 1983, at 2:20 p.m. for furnishing janitorial services at American Legion Hall. (Requested for the 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 1983-84 fiscal year. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$7,200; funds are budgeted.)

ACTION: Res. 83-301 adopted calling for bids. (Finance to handle)

CONSENT

8. Consider approval of specifications and authorize call for bids to be opened June 7, 1983, at 2:10 p.m. for furnishing annual dry cell battery requirements. (An annual requirement, the bid is cooperative venture with Stanislaus County, City of Oakdale, Yosemite Community College District, and Modesto City Schools. The batteries are purchased intermittently throughout the fiscal year by Central Stores and distributed to using departments. Resolution approving specifications and authorizing call fo bids needed. Estimated City portion of cost: \$4,400; funds are included in 1983-84 budget.)

ACTION: Res. 83-302 adopted calling for bids.

(Finance to handle)

CONSENT

9. Consider approving specifications and authorizing the call for bids to be opened June 7, 1983, at 2:05 p.m. for furnishing swimming pool chlorine and muratic acid. (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 intermittently throughout the 1983-84 fiscal year. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$6,400; funds are included in 1983-84 budget.)

ACTION: Res. 83-303 adopted calling for bids.

(Finance to handle)

10. Consider approving specifications and authorizing the call for bids to be opened June 7, 1983, at 2:00 p.m. for furnishing traffic line paint. (This is an annual bid. This paint is used by the Parking and Traffic Department for marking new and existing streets and parking lots. The traffic line paint will be purchased intermittently throughout the 1983-84 fiscal year. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$45,000; funds are included in 1983-84 budget.)

DROPPED FROM AGENDA

CONSENT

11. Consider acceptance of Acme Glass' contract for the installation of automatic sliding doors at entrance to City Hall. Original contract: \$19,695. (All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$19,996; funds are budgeted.)

ACTION: Res. 83-304 adopted accepting work as complete.

(Clerk to handle)

WRITTEN COMMUNICATIONS

12. Letter from Claudia Leong, County Consumer Affairs Coordinator, requesting the City Council to consider adopting the Mobilehome Park Mediation Board Bylaws. (Copies of the Bylaws, previously adopted by the Mobilehome Parks Mediation Board and the Stanislaus County Board of Supervisors with agenda. Resolution adopting bylaws needed.)

ACTION: Res. 83-305 adopted (Whiteside/Lang, unan., Mayor Mensinger absent) adopting Bylaws with the deletion of Section 4 of Article IX. (Clerk 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 an agreement with Touche, Ross & Co. to provide auditing and accounting services to the City of Modesto for five fiscal years beginning with the year ended June 30, 1983.  
(Memo from Council Audit Selection Committee with agenda. Resolution approving agreement needed. Estimated cost: \$24,000; funds are included in 1983-84 budget.)

ACTION: Res. 83-306 adopted approving agreement. (Clerk/Finance to handle)

CONSENT

15. Consider changing operation of Parking Lot 2.  
(Memo with agenda. This is the large lot next to the Lotus Restaurant on 9th Street. It's presently operated by attendants. Meters or a ticket spitter would be more economical. Motion referring the matter to the Downtown Renaissance Committee needed.)

ACTION: By motion, matter referred to Downtown Renaissance Committee. (Mgr. to handle)

CONSENT

16. Consideration of staff recommendation for direct City assistance for the Modesto Portuguese Association parade on Sunday, May 22, 1983.  
(Memo with agenda. Motion accepting staff recommendation needed. Estimated cost: \$31.44; funds are budgeted.)

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

CONSENT

17. Consider application for an encroachment permit to allow the downtown Wells Fargo Bank to construct a sun and wind shelter for the outside automatic teller. (The proposed construction would encroach 1' 6" into the public right of way. Memo with agenda. It is recommended that the application for encroachment permit be approved. Resolution approving application needed.)

ACTION: Res. 83-307 adopted approving application.

(Eng. Serv. to handle)

CONSENT

18. Recommend City Council reaffirm Ord. 2119-C.S. as meeting requirements of SB 1534. (On May 2, 1983, the Planning Commission adopted Res. 83-66 recommending to the Council that City regulations allowing second units on all corner lots, Ord. 2119-C.S. be reaffirmed, and designating this ordinance as meeting the requirements of SB 1534. Resolution reaffirming Ord. 2119-C.S. needed.)

ACTION: Res. 83-308 adopted reaffirming Ord. 2119-C.S.

(Planning to handle)

MISCELLANEOUS

CONSENT

19. Legislation: Staff recommends:

Opposing

- a) SB 1136 (Richardson) Firearms
- b) AB 2084 (Floyd) Local Government Collective Bargaining: Penalties

Supporting

- c) AB 1256 (McAlister) Immunity for Fighting Hazardous Spills
- d) AB 1873 (Seastrand) Fair Employment and Housing: Discrimination Against the Physically Handicapped - High Blood Pressure

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

ACTION: By motion, recommendations approved.

(Mgmt. Serv. 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

The meeting adjourned at 4:25 p.m. to closed session concerning employee relations and then to 8:00 a.m., May 20, 1983, Medical Foundation Building, St. Paul's Way, Modesto.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

\*\*\*\*\*

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for May 17, 1983, will not be held because there is no business to transact.

Adjourned Regular Meeting  
Modesto City Council  
May 20, 1983

The Council of the City of Modesto met pursuant to adjournment at 8:00 a.m. at the Medical Foundation Building, St. Pauls Way, Modesto, California.

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

Absent: Councilmembers: Bright

The Finance Director distributed a report on "Revenue Generation--Possibilities for Consideration" and presented an overview of the City's current financial status and prospects for the future.

Department Heads made remarks concerning the operation of their departments and for the future.

The City Attorney reviewed the November, 1981, report by the 21st Century Task Force.

Mayor Mensinger asked Councilmembers to put into writing their reactions to the presentations made by the Department Heads and the 21st Century Task Force report.

The meeting adjourned at 1:55 p.m. to May 23, 1983, at 3:00 p.m. in the City Council Chambers at City Hall.

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, Muratore, Sutton, Whiteside, Mayor Mensinger

Absent: Councilmembers: Lang, Patterson

The following budgets were reviewed:

Finance

- Administration
- Treasury
- Revenue and Budget
- Accounting and Reporting
- Purchasing
- Data Services
- Employee Benefits
- Miscellaneous Unclassified
- Central Stores
- Bond Redemption and Interest Requirements

Parking and Traffic

- Parking Fund
- Bus Service

Fire

- Administration
- Disaster & Civil Defense
- Training
- Prevention
- Suppression

Engineering Services

- Administration
- Engineering
- Construction Administration
- Building Inspection

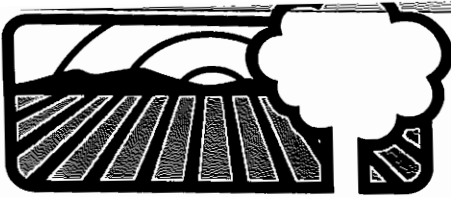
Utility Services

- Administration
- Electrical
- Streets
- Street Cleaning
- City Hall

The meeting adjourned at 4:55 p.m.

ATTEST:

  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 24, 1983, AT 7:30 P.M.

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

Absent: None  
Councilmember Lang arrived at 9:10 p.m.

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 8, 9, 10, 11, 12, 13, 14, 18, 19, 20, 21, 22, 23, 24, 25

ACTION: (Patterson/Muratore, 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

### MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular meeting of May 12, 1983, and the minutes of the May 17, 1983, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

### UNFINISHED BUSINESS

CONSENT

3. Final adoption of Ord. No. 2189-C.S. amending P-D(127) to establish a family amusement machine center, property located at the northeast corner of Oakdale Road and East Orangeburg Avenue. (Jerold Rosenthal)  
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2189-C.S. adopted.

(Clerk to handle)

HEARINGS

4. Hearing on the cost of installation of curbs and/or sidewalks at the following locations:

- a. Sidewalk along Yosemite Blvd. at 1105 Yosemite Blvd., a portion of Block 2054 (Margaret E. Agen - \$658.00)

ACTION: Res. 83-309 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment. (Finance to handle)

- b. Sidewalk at 1141 Allen Drive, Lot 11 of Block 1144 (James A. Biedenweg-\$268.00) (Staff recommends payment over a period of 5 years).

ACTION: Res. 83-310 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment. (Finance to handle)

- c. Sidewalk at 1137 Allen Drive, Lot 10 of Block 1144 (Dennis F. Bunce-\$305.00) (Staff recommends payment over a period of 6 years).

ACTION: Res. 83-311 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment. (Finance to handle)

- d. Sidewalk at 931 McHenry Avenue, a portion of Blocks 727 and 728 (Deet Eichel Enterprises - \$406.00) (Staff recommends payment over a period of 8 years).

ACTION: Res. 83-312 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment. (Finance to handle)

- e. Sidewalk at 945 McHenry Avenue, Lots 1 and 6 of Block 728 (Elks B.P.O.E. No. 1282 - \$295.00)

ACTION: Res. 83-313 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment. (Finance to handle)

- f. Sidewalk at 1437 Rose Avenue, Lot 14 of Block 1171 (Phillip Emery - \$312.00)

ACTION: Res. 83-314 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment. (Finance to handle)

- g. Sidewalk along Yosemite Blvd. at 1915 Yosemite Blvd., a portion of Block 2185 (Glen W. Holm - \$766.00)

ACTION: Res. 83-315 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment. (Finance to handle)

- h. Curb and sidewalk along El Vecino Avenue at 610 El Cajon Avenue, Lot 10 of Block 607 (Helen E. Hunter - \$710.00) (Staff recommends payment over a period of 10 years).

ACTION: Res. 83-316 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment. (Finance to handle)

- i. Curb and sidewalk along El Vecino Avenue at 614 El Cajon Avenue, Lot 9 of Block 607 (Thomas D. Hutchings - \$757.00) (Staff recommends payment over a period of 10 years).

ACTION: Res. 83-317 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment. (Finance to handle)

- j. Sidewalk along Yosemite Blvd. at 1503 Yosemite Blvd. a portion of Block 2126 (Sylvia Jacobs - \$538.00) (Staff recommends payment over a period of 10 years).

ACTION: Res. 83-318 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment. (Finance to handle)

- k. Curb and sidewalk at 112 Kerr Avenue, a portion of Block 2122 (Kentwood Enterprises - \$1,832.80) (Staff recommends payment over a period of 10 years.)

ACTION: Res. 83-319 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment. (Finance to handle)

- l. Sidewalk at 1538 Yosemite Blvd., a portion of Block 2122 (La Loma Properties - \$714.00)

ACTION: Res. 83-320 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment. (Finance to handle)

- m. Sidewalk at 724 McHenry Avenue, a portion of Block 619 (Mellis & Mellis - \$2,226.00) (Staff recommends payment over a period of 10 years).

ACTION: Res. 83-321 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment. (Finance to handle)

- n. Sidewalk along Westwood Avenue, and Sunrise Avenue, at 1718 Sunrise Avenue, a portion of Block 1286 (Natalie A. Merck - \$885.00) (Staff recommends payment over a period of 10 years).

ACTION: Res. 83-322 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment. (Finance to handle)

- o. Sidewalk at 1309 McHenry Avenue, a portion of Block 6000-A (J.P.P.C., Inc. - \$1702.00)

ACTION: Res. 83-323 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment. (Finance to handle)

- p. Curb and sidewalk along Nelson Avenue, at 409 E. Roseburg Avenue, a portion of Block 1126 (Richard R. Rhode - \$1,406.00) (Staff recommends payment over a period of 10 years).

ACTION: Res. 83-324 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment. (Finance to handle)

- q. Sidewalk along Standiford Avenue, at 500 Standiford Avenue, a portion of Block 13017 (Velton D. Rogers - \$910.00) (Staff recommends payment over a period of 10 years).

ACTION: Res. 83-325 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment. (Finance to handle)

- r. Sidewalk at 406 Las Palmas Avenue, a portion of Block 2027 (H.E. Sanders - \$357.00)

ACTION: Res. 83-326 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment. (Finance to handle)

- s. Sidewalk at 1714 Sunrise Avenue, a portion of Block 1286 (Liliane M. Sar - \$430.00) (Staff recommends payment over a period of 8 years).

ACTION: Res. 83-327 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment. (Finance to handle)

- t. Sidewalk along McHenry Avenue, at 806 McHenry Avenue, a portion of Block 620 (Sundial Restaurant-\$1,739.00) (Staff recommends payment over a period of 10 years).

ACTION: Res. 83-328 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment.

- u. Sidewalk at 941 McHenry Avenue, Lot 2 of Block 728 (Tonda & Lyon - \$1,005.00)

ACTION: Res. 83-329 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment.

- v. Sidewalk at 1717 Yosemite Blvd. a portion of Block 2125-A (Torek Development - \$859.00)

ACTION: Res. 83-330 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment.

- w. Curb and sidewalk at 810 Standiford Avenue, a portion of Block 13112 (L.R. Van Horn, Jr. - \$3,860.00) (Staff recommends payment over a period of 10 years).

ACTION: Res. 83-331 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment.

- x. Drive approach at 136 James Street, Lot 7 of Block 213 (Walter P. Wesson - \$361.00)

Paid. Dropped from agenda.

- y. Curb and sidewalk along Nelson Avenue, at 1249 Nelson Avenue, a portion of Block 1127 (Glen R. Wood - \$2,592.00) (Staff recommends payment over a period of 10 years).

ACTION: Res. 83-332 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment.

- z. Curb and sidewalk at 424 Standiford Avenue, a portion of Block 13042 (Wendell L. Young - \$2,610.00)

ACTION: Res. 83-333 adopted (Muratore/Bright, unan., Lang absent) confirming report, assessing costs, and directing method of payment.

5. Hearing to consider application by Delta Paper Stock, Inc. for a license to collect salvageable waste in the City of Modesto.

ACTION: By motion/(Whiteside/Muratore, majority, Bright and Sutton-no, Lang-absent) granting a one-year license to collect cardboard and paper. (Finance/Utilities to handle)

6. Appeal of Michael and Joe Tedesco, McHenry Station restaurant, to a Board of Zoning Adjustment decision denying an application to amend an H-1 Zone conditional use permit to allow midnight closing time on Friday and Saturday and 11 p.m. closing time for 10 weekday nights per year at the McHenry Station restaurant, 2501-A McHenry Avenue, south of Leveland Lane.

Councilmember Whiteside excused due to a conflict of interest.

ACTION: Res. 83-334 adopted (Muratore/Sutton, majority, Patterson and Mayor Mensinger-no, Whiteside-absent) denying the appeal and upholding the Board of Zoning Adjustment decision. (Clerk to handle)

7. Hearing to amend Sections 7-3-9 and 18-3-9 of the Zone Map to rezone from P-D(254) to R-1 and R-2, property located on the north side of Rumble Road east of Prescott Road. (Irwin Steinpress)

ACTION: By motion (Muratore/Whiteside, unan., Lang absent) Ord. No. 2191-C.S. introduced. Res. 83-335 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

BIDS

CONSENT

8. Consider approval of plans and specifications and call for bids for installation of alternative methane fuel program - gas processing system. (This is the second of two contracts to complete the project. This contract provides for the installation of the gas processing equipment and refueling station equipment. Suggested bid opening: June 14, 1983, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$108,540 (Contract \$100,500; Engineering \$8,040); funds are budgeted.)

ACTION: Res. 83-336 adopted calling for bids. (Utilities Serv. to handle)

CONSENT

9. Consider approving specifications and authorize call for bids to be opened June 21, 1983, at 2:00 p.m. for furnishing one emergency pump. (Requested by the Sewerage Division, the pump will be used in case of sewage lift station failure and provide a temporary bypass system. The pump will also be used to pump sewage from emergency holding systems back into the main flow. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$27,000; funds are budgeted.)

ACTION: Res. 83-337 adopted calling for bids. (Finance to handle)

CONSENT

10. Consider approving specifications and authorize call for bids for annual requirements of ready-mixed concrete to be opened on June 14, 1983, at 2:00 p.m. (The ready-mixed concrete products will be used by the Utility Services and the Parks and Recreation Departments for new construction and repair projects. The concrete will be purchased intermittently throughout the 1983-84 fiscal year. Estimated cost: \$18,000; funds are included in 1983-84 budget.)

ACTION: Res. 83-338 adopted calling for bids. (Finance to handle)

CONSENT

11. Consider award of contract for the installation of storm drainage improvements - 4th Street from "J" Street to "K" Street. (Bids were opened on May 10, 1983. The only bid received was submitted by Conco-West. Their bid of \$9,300 is 14% above the engineer's estimate and considered acceptable. It is, therefore, recommended by the Engineering Department that the contract be awarded to Conco-West. Memo with agenda. Resolution awarding contract to Conco-West needed. Funds are budgeted.)

ACTION: Res. 83-339 adopted awarding contract. (Eng. Serv. to handle)

CONSENT

12. Consider acceptance of Joe Martin Pipeline's contract for potable water and sanitary sewer services in Dryden Municipal Golf Course. (Original contract: \$29,822.50)  
(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. Total cost: \$29,666; funds are budgeted.)

ACTION: Res. 83-340 adopted accepting work as complete. (Clerk to handle)

CONSENT

13. Consider awarding new Dial-A-Ride (DAR) contract.  
(Memo with agenda. Storer Transit Systems has submitted a low bid of \$22.70 per vehicle service hour to provide the DAR service under a new three-year contract which would run between January 1, 1984 and December 31, 1986. Resolution awarding contract to Storer Transit Systems needed. Estimated cost per year: \$463,000; funds are budgeted.)

ACTION: Res. 83-341 adopted awarding contract. (P.T. to handle)

WRITTEN COMMUNICATIONS

CONSENT

14. Request by West Venture Construction Co. to abandon the alley in Block 68, bounded by 10th, 11th, I and J Streets.  
(Motion referring to Planning Commission needed.)

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

MATTERS FOR THE GOOD OF THE COMMUNITY

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

ACTION: By motion (Muratore/Bright, unan., Lang-absent) Council indicated its intention to approve holding the 1983 4th of July picnic in Graceada and Enslin Parks because of flooding in Tuolumne River Regional Park, and directed staff to prepare necessary documents. (Atty. to handle)

NEW BUSINESS

16. Consider signing between Modesto and the Bay Area.  
(Memo with agenda. The proposal is to route traffic via Highway 120 (Manteca) rather than Highway 132 (Maze Boulevard). (Held over from the April 26, 1983, City Council meeting.)

ACTION: By motion (Whiteside/Bright, majority, Patterson-no, Lang-absent) Council indicated its support of dual direction signs at Highway 205 and 580, and directional signs at Mosedale and Highways 120 and 99. (P.T. to handle)

17. Consider proposed Modesto Bicycle Plan.  
(The proposed Modesto Bicycle Plan has been prepared in conformance with State Bike Plan Guidelines. It is an update of the 1978 Urban Trails Plan and reflects current recreational and commuter cyclist issues. This plan includes major capital expenditure items in Appendix A. Plan and memo with agenda. Resolution adopting Modesto Bicycle Plan needed.)

ACTION: Res. 83-342 adopted (Whiteside/Lang, unan.) adopting the plan. (Planning to handle)

CONSENT

18. Consider approving two amendments to agreements with Joe Di Anna regarding existing leases on two properties acquired for Dry Creek Park. (Mr. Di Anna has requested we change the method of computing his rent on these two farm properties. Memo with agenda. Two resolutions approving amendments to agreements needed.)

ACTION: Res. 83-343 adopted approving amendment to agreement regarding former Simms property;  
Res. 83-344 adopted approving amendment to agreement regarding former Hogin property;  
(Utility Services to handle)

CONSENT

19. Consider approving a month-to-month agreement with John and Ruth-Marie Whitesitt for the lease of a mobile home site adjacent to the American Legion Hall. (The Whitesitts will pay \$125 per month, pay their own utilities, and pay taxes, if any, for being allowed to park their mobile home. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 83-345 adopted approving agreement. (Utility Services to handle)

CONSENT

20. Consider escalation of bond redemption charges for residential, commercial, and industrial properties for fiscal year 1983-84. (Annually the City must take action concerning escalation of bond redemption charges for sewer service. It is recommended that the escalation of those charges not be waived for fiscal year 1983-84. Memo with agenda. Motion approving recommendation needed.)

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

CONSENT

21. Consider approving lease agreement with Valley Freight Express, for the lease of a portion of the terminal at the airport. (This is a one-year renewal of our existing lease. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 83-346 adopted approving agreement. (Utility Services to handle)

CONSENT

22. 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, 1983, and ending June 30, 1984. (Memorandum with agenda. Resolution approving proposal for legal advertising needed. Estimated Cost: \$11,000. Funds are included in the 1983-84 budget.)

ACTION: Res. 83-347 adopted approving proposal for legal advertising. (Finance to handle)

CONSENT

23. Consider agreement between City of Modesto and Griffin Industrial Claims to act as administrator of the City's workers' compensation program. (Memo with agenda. Resolution approving agreement needed. Estimated Cost: \$12,400. Funds are budgeted.)

ACTION: Res. 83-348 adopted approving agreement. (Mgmt. Services to handle)



Adjourned Regular Meeting  
Modesto City Council  
May 26, 1983

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: Muratore, Sutton, Whiteside, Mayor Mensinger

Absent: Councilmembers: Bright, Lang, Patterson

The following budgets were reviewed:

Utility Services

Water Production

Water Distribution

Water Service

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

Capital Improvement Program

The meeting adjourned at 4:15 p.m. to closed session to consider an employee relations matter.

ATTEST:

  
*Norrine Coyle*  
\_\_\_\_\_  
NORRINE COYLE, City Clerk

Adjourned Regular Meeting  
Modesto City Council  
June 2, 1983

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California.

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

Councilmember Patterson arrived at 3:45 p.m.  
Councilmember Muratore left at 4:30 p.m.

Absent: Councilmembers: None

The following requests for financial assistance from community groups were reviewed:

Modesto Chamber of Commerce

Modesto Band of Stanislaus County

Modesto Symphony Orchestra

American Legion Post #74, Baseball

Coalition Center of the Disabled, Inc.

Stanislaus County Arts Commission

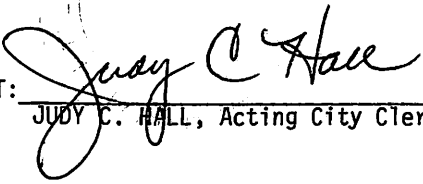
Modesto Performing Arts Commission

Babe Ruth Baseball

Mary Grogan, Parks and Recreation Director, requested that the applications from various groups for youth recreation be handled as in the past years until further staff study could be made in order to come up with a formula to determine how much to allocate for each group.

The meeting adjourned at 4:40 p.m.

ATTEST:

  
JUDY C. HALL, Acting City Clerk

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California.

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

Councilmembers Lang and Muratore arrive at 3:25 p.m.

Absent: Councilmembers: Sutton

The following budgets were discussed:

Capital Improvement Program  
Community Housing Improvement  
Fire Equipment & Facilities  
Parks & Recreation Land Acquisition and Development

Staff was requested to check with the City Attorney regarding City liability factor in neighborhood groups assisting with park improvements and maintenance.

Staff was requested to review park development plans to see that the schedules for development in other areas would not be pushed back by the development of Lakewood and Siphed Parks simultaneously.

#### Water Utility Development

Staff was requested to report on the condition of water systems in the Del Este areas proposed to be annexed to the City in the near future.

Sewer Lines & Facilities  
Storm Drainage  
Streets - Construction, Landscaping & Other Improvements  
Street Light Construction & Upgrading  
Traffic Signals & Other Protective Controls  
Parking Facility Development  
Bus Service - Facilities & Equipment  
Airport Development & Expansion  
Downtown Area Improvements  
Service Pool Equipment  
Other Equipment Acquisitions & Facility Improvements  
Police Building Expansion  
Police Communication Equipment  
Bio Mass Recycle Facility

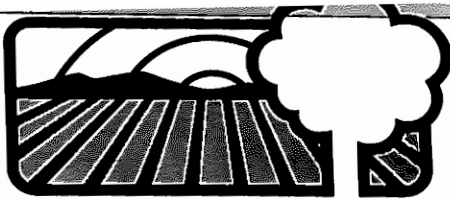
Councilmember Lang left at 4:50 p.m.

The meeting adjourned at 5:30 p.m.

ATTEST:

  
*Judy C. Hall*

JUDY C. HALL, Acting City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 7, 1983, 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. Paul Bautts, La Loma Grace Brethren Church

4:05 p.m.  
The City Council meeting adjourned at/to a Redevelopment Agency meeting, and reconvened at 4:15 p.m.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 23, 26, 27, 28, 29, 30, 31, 32, 33

Dropped from agenda: 22

ACTION: (Muratore/Lang, unan.)

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

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

### MINUTES

#### CONSENT

- Approval of the minutes of the adjourned regular meetings of May 20, 1983, May 23, 1983, and May 26, 1983, and the regular City Council meeting of May 24, 1983.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

### UNFINISHED BUSINESS

5. Further consideration of notices to construct sidewalk improvements along streets in the Santa Ana and Las Palmas Avenue area.  
(Continued from May 10, 1983, City Council meeting.)

ACTION: By motion (Lang/Muratore, unan.) requirement of sidewalks in this area was dropped. (Util. Serv. to handle)

6. Consider holding the 1983 4th of July picnic in Graceada and Enslin Parks because of flooding in Tuolumne River Regional Park.  
(At the Council meeting of May 24, 1983, the Council indicated its intention to approve request.)

ACTION: Res. 83-350 adopted (Muratore/Patterson, majority, Bright-no) accepting the staff recommendation with no music in Enslin Park, with an additional \$1,000 plus whatever is saved on bus service to Tuolumne River Regional Park being allocated for additional Police enforcement. (P.R./Police to handle)

7. Final adoption of Ord. No. 2190-C.S. granting to Delta Paper Stock, Inc. a limited license for the collection of salvageable waste.  
(Motion adopting needed.)

ACTION: By motion (Whiteside/Muratore, majority, Bright and Sutton-no) Ord. 2190-C.S. adopted. (Clerk to handle)

8. Final adoption of Ord. No. 2191-C.S. rezoning from P-D(254) to R-1 and R-2 property located on the north side of Rumble Road east of Prescott Road. (Steinpress)  
(Memo with agenda. Motion continuing final adoption until approval of final map of Hillsborough Heights subdivision needed.)

ACTION: By motion (Whiteside/Lang, unan.) final adoption held over to the June 14, 1983, City Council meeting. (Clerk to handle)

### HEARINGS

9. Hearing to consider the 1983-84 Preliminary Budget and Four-Year Capital Improvement Program, 1983-84 through 1986-87.

Comments were made by members of the audience.

CONSENT

10. Consider approval of plans and specifications and call for bids for slurry seal - residential streets, 1983-84.  
(Suggested bid opening: June 28, 1983, at 11:00 a.m. This project will provide slurry sealing of various residential streets. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$104,800 (contract \$97,480; eng. & contin. \$7,320); funds are budgeted.)

ACTION: Res. 83-351 adopted calling for bids. (Eng. to handle)

CONSENT

11. Consider approving plans and specifications and call for bids for 1983-84 asphalt concrete overlays - residential streets.  
(Suggested bid opening: June 28, 1983 at 11:05 a.m. This project will provide overlay of various residential streets. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$194,000 (contract \$184,779; eng. \$9,221); funds are budgeted.)

ACTION: Res. 83-352 adopted calling for bids. (Eng. to handle)

CONSENT

12. Consider award of contract for the reconstruction of Pump Station No. 4  
(Bids were opened on May 24, 1983. The low bid of \$39,883, submitted by Howk Well and Equipment Company, Inc., is 43% below the engineer's estimate and considered acceptable. It is therefore recommended by the Engineering Department that the contract be awarded to them. Memo with agenda. Resolution awarding contract to Howk Well and Equipment Co., Inc. needed. Funds are budgeted.)

ACTION: Res. 83-353 adopted awarding contract. (Eng. to handle)

CONSENT

13. Consider acceptance of George Reed, Inc.'s contract for East La Loma Park tennis courts. Original contract: \$99,800.90.  
(All work on this project has been completed to the satisfaction of the Engineering Department and the Parks and Recreation Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$103,150.85; funds are budgeted.)

ACTION: Res. 83-354 adopted accepting work as complete. (Clerk to handle)

CONSENT

14. Consider acceptance of L.M. Roberts Construction's contract for Standiford Avenue improvements - Conant Avenue to 644 feet east. (Original contract: \$24,460.14)  
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$24,802.51; funds are budgeted.)

ACTION: Res. 83-355 adopted accepting work as complete. (Clerk to handle)

CONSENT

15. Consider acceptance of Dee Burton's contract for Project No. 13 - replacement of curb, drive aprons, and sidewalks at various locations. Original contract: \$31,900.  
(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: \$42,697; funds are budgeted.)

ACTION: Res. 83-356 adopted accepting work as complete. (Clerk to handle)

CONSENT

16. Consider declaring four low bidders on rock, sand, and gravel products and authorizing the purchase of these products for the 1983-84 fiscal year at the respective prices bid.  
(Memorandum with agenda. Resolution awarding bid to Glen Wilson Trucking on Item 1, Central Ready Mix on Items 2, 3, and 7, Genstar Cement and Lime on Items 5 and 6, and Santa Fe Rock and Sand on Items 4 and 8 needed. Estimated cost: \$18,000; funds are budgeted.)

ACTION: Res. 83-357 adopted awarding bid to four low bidders. (Finance to handle)

CONSENT

17. Consider declaring Black Diamond low bidder and authorize the purchase of 4,000 tree lodge poles for the total price of \$5,596.80.  
(Memorandum with agenda. Resolution awarding bid to Black Diamond needed. Funds are budgeted.)

ACTION: Res. 83-358 adopted awarding bid. (Finance to handle)

CONSENT

18. Consider waiving formal bid procedures and authorizing the purchase of traffic line paint from June 8, 1983, to November 16, 1983, through the State of California Cooperative Purchasing Program.  
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. Estimated cost: \$35,228; funds are included in the 1982-83 budget and in the proposed 1983-84 budget.) (Five affirmative votes needed.)

ACTION: Res. 83-359 adopted waiving formal bid procedures. (Finance to handle)

CONSENT

19. Consider waiving formal bid procedures and authorizing the purchase of methane gas refueling equipment from Central Plants, Inc. in exchange for the City's pilot scrubbing system.  
(Memorandum with agenda. Resolution authorizing purchase in exchange for scrubbing system needed. Funds are budgeted.) (Five affirmative votes needed.)

ACTION: Res. 83-360 adopted waiving formal bid procedures. (Finance to handle)

20.

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

Mack Wilson and Jack Grubb discussed scheduling of youth baseball games and need for more ball fields on the west side.

Leroy Gambrell asked about improvements to Paradise Road.

NEW BUSINESS

21. Receipt of proposed Redevelopment Plan, Report to the Council, and Final EIR for the Modesto Redevelopment Project, and call for a joint public hearing with the Redevelopment Agency on the proposed Redevelopment Plan and Final EIR. (Memo with agenda. Resolution acknowledging receipt of proposed Redevelopment Plan, Final EIR and Report to the Council and consenting to and calling a joint public hearing on Wednesday, July 6, 1983, at 4:00 p.m. needed.)

Mayor Mensinger excused due to a conflict of interest.

ACTION: Res. 83-361 adopted (Patterson/Whiteside, unan., Mayor Mensinger absent) acknowledging receipt of Plan and calling a joint public hearing.

(Clerk to handle)

CONSENT

22. Consider approving agreement with the Housing Authority of the County of Stanislaus for the acquisition of 0.06± acre of right of way needed for the Scenic/County Hospital to Sunnyside project. (The Housing Authority has agreed to dedicate the required right of way in return for the City paving the area. Resolution approving agreement needed. Estimated cost: \$6,800; funds are budgeted.)

Dropped from agenda.

CONSENT

23. Amendment of Utility Users Tax ordinance, changing the annual income which is eligible for exemption from \$6,300 to \$8,700 and the maximum amount of the refund from \$20 to \$30. (Memo with agenda. Motion introducing ordinance needed.)

ACTION: By motion, Ord. No. 2192-C.S. introduced.

(Clerk to handle)

Councilmember Lang was excused at 6:40 p.m.

24. Consider suggested Code text amendment - revision to sign provisions for signs for nonconforming businesses and other nonconforming uses. (Memo with agenda. For a nonconforming mini-mart in a residential zone, for example, 15 square feet of wall and canopy signs would be permitted for a 30-foot long building fronting on a street (currently one square foot) and window signs (currently not permitted). Motion directing staff needed.)

ACTION: By motion (Muratore/Bright, unan., Lang absent) staff recommendations approved. (Planning to handle)

25. Consider Planning Commission recommendations concerning second dwelling units on R-1 lots.  
(Memo with agenda. Motion directing staff on possible Zoning Code text amendment needed.)

ACTION: By motion (Sutton/Whiteside, unan., Lang absent) accepted the Planning Commission recommendations with the additional requirement that a notice be recorded so future property purchasers will know that the property owner must live in one of the units.  
(Planning to handle)

CONSENT

26. 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 Act Funds. This year's claim is for \$2,369,787, plus \$159,821 of Non-Motorized Funds. Resolution authorizing submission of the annual transportation claim needed.)

ACTION: Res. 83-362 adopted authorizing submission of the annual transportation claim.  
(Finance to handle)

CONSENT

27. Consider approving amendment to agreement with Raymond L. and Ruby C. Marsh regarding the lease of City-owned property at 1004 Thrasher.  
(The Marshes moved into this house on February 19, 1983. Their monthly rent was then due on the 19th of each succeeding month. They have requested that they be allowed to pay at the first of each month. This amendment is for that purpose. Resolution approving amendment to agreement needed.)

ACTION: Res. 83-363 adopted approving amendment to agreement. (Util. Serv. to handle)

CONSENT

28. Amendment of the Position Classification Plan of four existing classes: Word Processing Supervisor, Senior Word Processing Technician, Word Processing Technician and Word Processing Trainee. Amend the salary range of Word Processing Supervisor to 422.0 and amend the Senior Word Processing Technician to confidential salary range 416.5. These changes to be effective June 28, 1983.  
(Memorandum with agenda. Resolution amending Position Classification Plan needed.)

ACTION: Res. 83-364 adopted amending Position Classification Plan. (Mgmt. Serv. to handle)

CONSENT

29. Consider setting hearing June 21, 1983, at 4:00 p.m. regarding City's applications to H.U.D. for Annual Community Development Block Grant Allocation and additional C.D.B.G. funds (Federal Emergency Jobs Bill H.R. 1718).  
(Public hearing required before submission of applications for federal funds. Resolution setting hearing needed.)

ACTION: Res. 83-365 adopted setting hearing. (Clerk to handle)

CONSENT

30. Consider establishing a new rate schedule for Police rotation towing services. (Memorandum with agenda. Resolution establishing new rate schedule needed.)

ACTION: Res. 83-366 adopted establishing new rate schedule. (Police to handle)

CONSENT

31. Consider setting public hearing to consider delinquent water turn off and reconnection charge. (Staff recommends an adjustment to these fees after careful study of the time in personnel and equipment it takes to perform these tasks. These new suggested rates were reviewed and approved by the Fees Committee. Memo with agenda. Resolution setting public hearing Tuesday, June 21, 1983, at 4:00 p.m. needed.)

ACTION: Res. 83-367 adopted setting hearing. (Clerk to handle)

CONSENT

32. Consider approval of Memorandum of Understanding with Modesto City Employees Association. (A Memorandum of Understanding has been entered into between representatives of the Modesto City Employees Association and Management representatives of the City of Modesto. It is now appropriate for the City Council to approve that Memorandum. Memo with agenda. Resolution approving Memorandum of Understanding needed.)

ACTION: Res. 83-368 adopted approving Memorandum of Understanding. (Mgmt. Services to handle)

MISCELLANEOUS

CONSENT

33. Legislation: Staff recommends:

Opposing

- a) AB 46 (Floyd) - Refuse Truck Weight Increase
- b) AB 1101 (Floyd) - Keeping of Homing Pigeons
- c) SB 382 (Petris) - Police Officer Licensing
- d) SB 925 (Maddy) - Uninhabited Annexations Abolished

Supporting

- e) AB 1428 (W. Brown) - Fiscal Affairs
- f) AB 1826 (Lancaster) - Public Employees' Retirement System - Final Compensation
- g) SB 700 (McCorquodale) - Passive Solar Additions
- h) SB 747 (Ayala) - Contracts for Services to Cities

CONSENT

33. Legislation - Continued

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

ACTION: By motion, recommendations approved. (Mgmt. Services to handle)  
Councilmember Whiteside was excused at 6:55 p.m.

34. Appointments

ACTION: Res. 83-369 adopted (Sutton/Bright, unan., Lang and Whiteside absent) appointing Shirley Elke to the Culture Commission, term to expire 1/1/87. (Clerk to handle)

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

ACTION: By motion (Patterson/Muratore, unan., Lang and Whiteside absent) Mayor Mensinger authorized to send letter to banks asking that careful consideration be given to Cal Can in light of its impact on the local economy. (Mgr. to handle)

CLOSED SESSION  
(Closed session to consider employee relations matter.)

ADJOURNMENT

Meeting adjourned at 7:00 p.m. to closed session to consider an employee relations matter and then to 3:00 p.m., June 9, 1983, in the City Hall 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

Councilmember Whiteside arrived at 3:10 p.m.

The Modesto California Relays' request for financial assistance was reviewed.

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

ACTION: By motion (Whiteside/Lang, unan., Sutton and Mayor Mensinger absent) \$6,000 allocation approved for Modesto California Relays, and staff directed to look into a policy for Council consideration on allocations to groups that show a profit.

ACTION: By motion (Lang/Whiteside, unan.) it was decided that groups requesting funds, except Tourism, Symphony, Arts Commission and Coalition, would receive the same amount as in 1982-83.

Councilmember Sutton excused due to a conflict of interest.

ACTION: By motion (Lang/Muratore, unan., Sutton absent) it was decided to fund the Modesto Symphony at the same level as in 1982-83.

ACTION: By motion (Sutton/Muratore, unan.) the request from Stanislaus County Arts Commission referred to the Culture Commission for a recommendation.

ACTION: By motion (Lang/Bright, unan.) the Coalition's request will not be included in the budget pending further evaluation for possible action later.

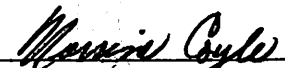
ACTION: By motion (Sutton/Patterson, unan.) the Tourism amount was approved.

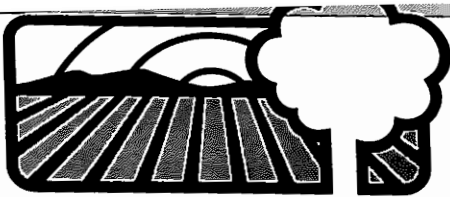
ACTION: By motion (Whiteside/Sutton, unan.) additional street projects as outlined in the May 31, 1983 memo from the Director of Finance was approved.

ACTION: By motion (Sutton/Muratore, majority, Patterson-no) Lakewood and Sipherd Parks will be included in the 1983-84 fiscal year, using neighborhood assistance for accelerating improvements.

The meeting was adjourned at 4:30 p.m. to closed session to discuss an employee relations matters.

ATTEST:

  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 14, 1983, 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: Mr. Mel Turner, Greater Modesto Crusade

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14,  
15, 16A, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28

Removed from Consent: 5

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.)

## ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of Ice Cream Jubilee '83 commemorative ice cream dish by Keith D. Vogt. Keith Vogt and two assistants presented the Council with commemorative dishes with samples of "Modesto Nut Fudge" ice cream to be served at the Jubilee.

## MINUTES

### CONSET

2. Approval of the minutes of the adjourned regular meetings of June 2, 1983, and June 6, 1983, and the June 7, 1983 regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Letter from Beverly Jones, Chairman of Stanislaus County Fourth of July Celebration Committee, requesting reconsideration of Council decision of June 7, 1983, regarding music in Enslin park.

Request withdrawn by Beverly Jones.

CONSENT

4. Consider continuing final adoption of Ord. No. 2191-C.S., rezoning from P-D(254) to R-1 and R-2, property located on the north side of Rumble Road, east of Prescott Road (Steinpress) until the meeting at which the final map of Hillsborough Heights subdivision will be approved.  
(Motion continuing to meeting when the final map is to be considered for approval needed. Memo with agenda.)

ACTION: By motion, final adoption continued as recommended. (Clerk to handle)

5. Final adoption of Ord. No. 2192-C.S., amending Code relating to Utility Users' Tax, to change the annual income which is eligible for exemption from \$6,300 to \$8,700 and the maximum amount of the refund from \$20 to \$30.  
(Motion adopting needed.)

ACTION: By motion (Lang/Muratore, unan., Mayor Mensinger absent) Ord. No. 2192-C.S. adopted.  
(Clerk to handle)

BIDS

CONSENT

6. Consider award of contract for second layer slurry seal - downtown City streets.  
(Bids were opened on June 7, 1983. The low bid of \$27,826.20, submitted by Valley Slurry Seal Co., is 30% below the engineer's estimate and considered acceptable. It is, therefore, recommended by the Engineering Department that the contract be awarded to Valley Slurry Seal. Resolution awarding contract to Valley Slurry Seal Co. needed. Funds are budgeted.)

ACTION: Res. 83-370 adopted awarding contract. (Eng. to handle)

CONSENT

7. Consider declaring Crystal Pool Service low bidder for furnishing swimming pool chlorine and muriatic acid.  
(Memorandum with agenda. Resolution declaring Crystal Pool Service low bidder needed. Estimated cost: \$7,150; funds are budgeted.)

ACTION: Res. 83-371 adopted awarding bid. (Finance to handle)

CONSENT

8. Consider authorizing the purchase of liquid chlorine from Jones Chemicals, Inc. for the price of \$156.60 per ton for a period of one year. (Memorandum with agenda. Resolution authorizing the purchase of liquid chlorine needed. Estimated cost: \$96,300; funds are budgeted.)

ACTION: Res. 83-372 adopted authorizing purchase from Jones Chemicals, Inc. (Finance to handle)

CONSENT

9. Consider declaring Western States Testing low bidder and authorize the purchase of annual compaction, aggregate and concrete testing services from the firm for the prices noted on Exhibit A of the memo with the agenda. (Resolution authorizing purchase needed. Estimated cost: \$22,687.50; funds are budgeted.)

ACTION: Res. 83-373 adopted authorizing purchase from Western States Testing. (Finance to handle)

CONSENT

10. Consider rejecting all bids received for furnishing one service truck and one 3/4-ton van. (Memorandum with agenda. Resolution rejecting all bids received for service truck and van needed.)

ACTION: Res. 83-374 adopted rejecting all bids. (Finance to handle)

CONSENT

11. Consider waiving formal bid procedures and authorize the purchase of aerial bucket repair services from Pac Power, not to exceed \$8,000. (Memorandum with agenda. Resolution authorizing the purchase of aerial bucket repairs from Pac Power needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 83-375 adopted authorizing purchase of aerial bucket repairs from Pac Power. (Finance to handle)

CONSENT

12. Consider acceptance of Bowden Electric's contract for the installation of Beyer Ball-park lighting. Original contract: \$156,971. (All work on this project has been completed to the satisfaction of the Engineering and Parks & 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: \$158,371; funds are budgeted.)

ACTION: Res. 83-376 adopted accepting work as complete. (Clerk to handle)

CONSENT

13. Consider acceptance of Graham Contractors, Inc. contract for slurry sealing various residential streets. Original contract: \$65,177. (All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$56,286.05; funds are budgeted.)

ACTION: Res. 83-377 adopted accepting work as complete. (Clerk to handle)

CONSENT

14. Consider acceptance of B & L Builders' contract for the modification of old communication area at Modesto Police Department. (Original contract: \$7,192.78) (All work on this project has been completed to the satisfaction of the Engineering and Police Departments. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$8,730.95; funds are budgeted.)

ACTION: Res. 83-378 adopted accepting work as complete.

(Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

15. Appeal by William A. Huckaby & Associates to a Planning Commission decision concerning the Tentative Map for Cedarbrook No. 2 & 3, P-D(218). (Resolution setting hearing July 5, 1983, at 4:00 p.m. needed.)

ACTION: Res. 83-379 adopted setting hearing.

(Clerk to handle)

16. Letter from Mid-Valley Engineering, on behalf of Roger and Gary Boucher, regarding construction of a pistol and small bore rifle range at 2053 Yosemite Boulevard.

ACTION: Res. 83-380 adopted (Muratore/Sutton, unan., Mayor Mensinger absent) approving application to construct the range.

By motion (same vote) staff requested to study the request to change Code to allow the use of larger caliber weapons and make a recommendation. (Police/Atty to handle)

- 16A. Request by the Modesto Chamber of Commerce for City Council endorsement of its Application for Employment Generating Services Funds. (Copies of the application with agenda. The Private Industry Council of Stanislaus County requires concurrence or endorsement by the appropriate local governmental agency. Resolution endorsing application needed.)

ACTION: Res. 83-381 adopted endorsing application.

17. MATTERS FOR THE GOOD OF THE COMMUNITY

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

Bev Jones apologized to the City Council for any embarrassment the Picnic in the Park Committee may have caused and thanked the Council and staff for assistance in the past.

NEW BUSINESS

18. Hear and see the explanation on the Gibbs & Hill report on the economic and technical feasibility of converting biomass into energy. (Memo with agenda. Motion acknowledging receipt of the report and directing staff to continue on the efforts to be outlined to the Council needed.)

ACTION: By motion (Lang/Muratore, unan., Mayor Mensinger absent) receipt of report acknowledged and staff directed to continue in its efforts to find a use for biomass. (Eng. to handle)

CONSENT

19. Consider reimbursement of Modesto High School District from School Site and Facilities Tax Funds for property acquired for expansion of Modesto High School; authorizing sale of City property to Modesto High School District; and approval of appropriation transfer. (This reimbursement of up to \$556,048.14 and sale of the small City parcel completes the projects previously planned under the School Site and Facilities Tax. Memo with agenda. Three resolutions needed.)

ACTION: Res. 83-382 adopted reimbursing Modesto High School District from Tax Funds.  
Res. 83-383 adopted approving agreement with Modesto High School District to acquire property needed to complete their expansion project.  
Res. 83-384 adopted approving appropriation transfer.

(Planning/Finance to handle)

CONSENT

20. Consider approval of amendment to agreement for reimbursement of sewer costs incurred by Be-Amadin Investments Co.  
(Be-Amadin Investments Co. has constructed a sewer lateral which serves properties other than his own. The amendment to the agreement would permit the developer to receive payment of lateral sewer charges collected prior to the agreement of April 12, 1983. Resolution approving amendment to agreement needed.)

ACTION: Res. 83-385 adopted approving amendment to agreement. (Eng. to handle)

CONSENT

21. Consider approval of agreement for reimbursement of sewer costs incurred by Joaquin Construction Company.  
(Joaquin Construction Company has constructed sewer laterals in Dallas Street, Seattle Street and Inyo Avenue, which are improved rights of way. These sewer laterals provide service for properties other than their own. The agreement provides for the City to reimburse Joaquin as monies are collected from adjacent property owners. Resolution approving agreement needed.)

ACTION: Res. 83-386 adopted approving agreement. (Eng. to handle)

CONSENT

22. Consider cooperative agreement with Modesto Irrigation District to engage a consulting engineer to determine the best means of long-range management of the water supply in the Modesto area.  
(Memo with agenda. Resolution approving agreement needed. Cost not to exceed \$116,000.)

ACTION: Res. 83-387 adopted approving agreement. (Eng. to handle)

CONSENT

23. Consider setting Hearing of Necessity to acquire a parcel of right of way needed for the Oakdale/Briggsmore to Floyd project.  
(The property is owned by Amer Ameri et al. Recommended hearing date is July 5, 1983, at 4:00 p.m. Staff has made an offer to acquire this parcel but the owners have declined. Further negotiations are not expected to change the situation. Memos with agenda. Resolution setting hearing needed.)

ACTION: Res. 83-388 adopted setting hearing. (Clerk to handle)

CONSENT

24. Consider authorizing the issuance of nine checks in the amount of \$24,127 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. One resolution needed. Funds are budgeted.)

ACTION: Res. 83-389 adopted authorizing issuance of nine checks. (Utility/Finance to handle)

CONSENT

25. Consider request of Boyett Petroleum for refund of a \$651.10 overpayment of business license taxes. (Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 83-390 adopted approving refund. (Finance to handle)

CONSENT

26. Consider transferring the title of Superintendent of Streets from the Director of Utility Services to the Director of Engineering Services. (When the Public Works Department was split, it was thought that the title of Superintendent of Streets should go with the department of Utility Services. Experience has suggested that this was not a correct assignment and that the title of Superintendent of Streets more appropriately belongs with Engineering Services. Memo with agenda. Resolution amending the class specifications for the Director of Utility Services and the Director of Engineering Services needed.)

ACTION: Res. 83-391 adopted amending the class specifications. (Mgmt. Services to handle)

CONSENT

27. Presentation of monthly financial statement for May, 1983. ( Report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

CONSENT

28. Legislation: Staff recommends supporting:

- a. SB 48 (Vuich) - Reversing P.U.C. Decisions on Extensions of Utility Services
- b. AB 866 (Young) - Vehicle Lengths and Widths

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

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

29 Appointments

ACTION: Res. 83-392 adopted (Lang/Muratore, unan., Mayor Mensinger absent) appointing Gil Sturgis to the Planning Commission, term to expire 1/1/85.

Res. 83-393 adopted (Muratore/Lang, unan., Mayor Mensinger absent) appointing James Brashear to the Airport Advisory Committee, term to expire 1/1/87.  
(Clerk to handle)

30.

MATTERS TOO LATE FOR THE AGENDA

None

31.

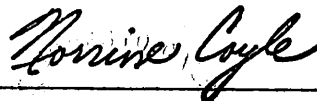
CLOSED SESSION

(Closed session to consider an employee relations matter.)

ADJOURNMENT

The meeting adjourned at 8:45 p.m. to a closed session to consider an employee relations matter.

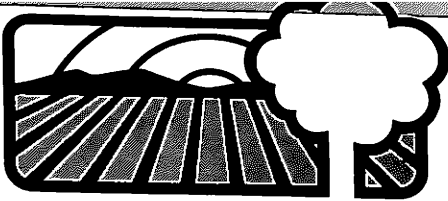
ATTEST:



NORRINE COYLE, City Clerk

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The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for June 14, 1983, will not be held because there is no business to transact.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 21, 1983, 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, 6, 7, 8, 9, 11, 14, 15, 16,  
18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29,

Removed from consent: 13

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 9, 1983, and the June 14, 1983 regular City Council meeting.  
(Motion adopting needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

HEARINGS

3. Hearing to consider appeal of Michael deRuosi to a decision of the Board of Zoning Adjustment concerning the calculation of off-street parking requirements for the City Mall commercial/office condominiums at the east corner of 11th and J Streets.

ACTION: Res. 83-394 adopted (Whiteside/Lang, unan.) denying appeal. (Clerk to handle)

4. a) Hearing to consider application to H.U.D. for Community Development Block Grant for fiscal year 1983-84.

ACTION: Res. 83-395 adopted (Lang/Bright, unan.) approving application. (Planning to handle)

- b) Hearing to consider application for Community Development Block Grant supplementary funds - Federal Emergency Jobs Bill H.R. 1718 - for fiscal year 1983-84.

ACTION: Res. 83-396 adopted (Muratore/Patterson, unan.) approving application.  
(Planning to handle)

5. Hearing to consider new rates for delinquent water turn off and reconnection.

ACTION: Res. 83-397 adopted (Whiteside/Muratore, unan.) establishing new fees.  
(Utilities/Finance to handle)

## BIDS

### CONSENT

6. Consider rejection of bids for the installation of electrical outlets at Tuolumne River Regional Park.  
(Bids were opened on May 24, 1983 at 11:00 a.m. The low bid of \$14,810, submitted by George F. Schuler, is 48% above the engineer's estimate and considered unacceptable. It is, therefore, recommended by the Engineering and Parks and Recreation Departments that the contract bids be rejected. Memo and bid tabulation with agenda. Resolution rejecting bids needed.)

ACTION: Res. 83-398 adopted rejecting bids. (P.R. to handle)

### CONSENT

7. Consider award of contract for the installation of Alternative Methane Fuel Program - gas processing system.  
(Bids were opened on June 14, 1983. The low bid of \$154,796, submitted by Lang's Enterprises, is 55% above the engineer's estimate and considered acceptable. It is, therefore, recommended by the Engineering Department that the contract be awarded to Lang's. Memo and bid tabulation with agenda. Resolution awarding contract to Lang's Enterprises needed. Funds are budgeted.)

ACTION: Res. 83-399 adopted awarding contract. (Eng. to handle)

### CONSENT

8. Consider award of contract for the construction of service Road at Modesto City-County Airport (ADAP No. 6-06-0153-09).  
(Bids were opened on June 7, 1983. The low bid of \$35,550, submitted by Stanfield and Moody, is 8% under the engineer's estimate and considered acceptable. It is, therefore, recommended by the Engineering Department and the FAA that the contract be awarded to them. Resolution awarding contract to Stanfield and Moody needed. Funds are budgeted.)

ACTION: Res. 83-400 adopted awarding contract. (Eng. to handle)

### CONSENT

9. Consider authorizing the purchase of annual dry-cell batteries from Wille Electric.  
(Memorandum and bid tabulation with agenda. Resolution authorizing purchase needed. Estimated cost - City portion: \$4,500; funds are included in the proposed 1983-84 budget.)

ACTION: Res. 83-401 adopted authorizing purchase. (Finance to handle)

### CONSENT

11. 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 purchase from Safe-T-Lite needed. Estimated cost: \$9,700; funds are included in the proposed 1983-84 budget.)

ACTION: Res. 83-402 adopted authorizing purchase. (Finance 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 the filing of an Economic Development Administration (EDA) grant application under the Jobs Act Project.  
(Memo with agenda. Grant application will allow expansion of the Downtown Parking Garage by two levels and requests \$750,000 in federal funds on a local matching fund basis. Resolution approving application and requesting support from the County Board of Supervisors needed.)

ACTION: Res. 83-403 adopted (Whiteside/Lang, unan.) approving application and requesting County support. (Mgmt. Services to handle)

CONSENT

14. Consider approving purchase of Workers' Compensation excess insurance from General Reinsurance Corporation for 1983-84.  
(Memo with agenda. Resolution approving purchase of insurance needed. Estimated cost: \$9,000; funds are budgeted.)

ACTION: Res. 83-404 adopted approving purchase of insurance. (Mgmt. Services to handle)

CONSENT

15. Consider adoption of the Fiscal Year 1983-84 Annual Budget (including the first year of the Four Year Capital Improvement Program).  
(Memo with agenda. Adoption of an ordinance approving budget needed.)

ACTION: By motion, Ord. No. 2193-C.S. adopted. (Finance to handle)

CONSENT

16. Consider approval of an application for funds under the Small Business Administration for clean up and replanting along the Dry Creek waterways.  
(This grant would provide the clean up and replanting of trees and ground cover along the Dry Creek waterways. Areas of rehabilitation and reforestation would include the City neighborhood parks of East La Loma, Kewin, Moose and Thousand Oaks. Under City supervision, California Conservation Corps will perform the work. Memo with agenda. Resolution authorizing filing of an application needed.)

ACTION: Res. 83-405 adopted authorizing filing of an application. (P.R. to handle)

17. Consider amendment to the garbage ordinance to delete the requirement for salvageable waste licenses and to make the pickup of drop-box containers non-exclusive as to service area.  
(Staff has been working with the garbage companies and the Council Solid Waste Committee concerning modifications to the garbage ordinances in the areas of salvageable waste and drop-box container service. Staff is recommending the requirement for licenses for salvageable waste be deleted from the garbage ordinance and that the definition of industrial garbage be modified to include the pickup of drop-box containers, thus making this service non-exclusive as to area. Memo with agenda. Introduction of an ordinance needed.)

ACTION: By motion (Lang/Muratore, unan.) Ord. No. 2194-C.S. introduced amending garbage ordinances, deleting the requirement of licenses to collect salvageable waste. (Clerk) By motion (Bright/Lang, unan.) no action taken on changes to the provisions concerning drop box containers and staff directed to keep the matter under continued study and report to Council any information received or court decisions made. (Deputy City Manager to handle)

CONSENT

18. Consider approving amendment to lease agreement with Mark Richards, Rule Enterprises, Inc., Jim Van Heukelem and Loet Van Der Linden and Associates, dba Skytrek Aviation, for the lease of the former Gottschalk Flight Center fixed base operation.  
(The lessees would like to be allowed to operate a small coffee shop out of their office space. Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 83-406 adopted approving amendment to agreement. (Utilities to handle)

CONSENT

19. Consider approving an agreement with Crosby, Thornton, Marshall, Booker, Lawlor, Architects, to provide architectural services for the expansion of the Modesto City-County Airport terminal building.  
(The existing air terminal facility is inadequate for current and future needs in regard to size, security, baggage and air freight handling, concession areas, and parking facilities. Staff recommends that the firm of Crosby, Thornton, Marshall, Booker, Lawlor, Architects, be retained to design a facility that will adequately meet community needs. Funds are budgeted. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$85,000.)

ACTION: Res. 83-407 adopted approving agreement. (Utilities to handle)

CONSENT

20. Consider approving agreement with Lena Capobianco for the acquisition of 1,610± square feet of her property needed for a bicycle path.  
(Mrs. Capobianco has agreed to sell the required right of way for the appraised value of \$350. Memo with agenda. Resolution approving agreement. Funds are budgeted.)

ACTION: Res. 83-408 adopted approving agreement. (Utilities to handle)

CONSENT

21. Consider setting public hearing on the filing of a federal transit operating assistance grant application for the 1983-84 fiscal year. (Memo with agenda. The public hearing is required to complete the application process. The grant application requests \$1,097,466 in federal funds, and if approved, would cover 40% of the City's estimated \$2,711,327 transit operating costs for the 1983-84 fiscal year. Resolution setting public hearing on July 26, 1983, at 7:30 p.m. needed.)

ACTION: Res. 83-409 adopted setting hearing.

(Clerk to handle)

CONSENT

22. Consider approving lease agreement with Don L. Thiel for the lease of 618 10th Street. This is the former Thiel Suzuki shop acquired for the Police facilities expansion. (This is a one-year renewal of an existing lease. Mr. Thiel will pay the City \$570/month, pay taxes, and maintain the property. The rent last year was \$550/month. Resolution approving agreement.)

ACTION: Res. 83-410 adopted approving agreement.

(Utilities to handle)

CONSENT

23. Consider approving lease agreement with Larry Smith dba Larry Smith Auto Sales for the lease of the City-owned property at 1130 10th Street. (This is a one-year renewal of an existing lease. Mr. Smith operates a used car dealership on this property. He pays the City \$400/month, pays taxes and maintains the property. His rent last year was \$350/month. Resolution approving agreement needed.)

ACTION: Res. 83-411 adopted approving agreement.

(Utilities to handle)

CONSENT

24. Consider acceptance of improvements in Valencia Plaza No. 3 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer - Joaquin Construction) (Valencia Plaza No. 3 is located north of Penny Lane between Lincoln Avenue and Pirinen Lane. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 83-412 adopted accepting improvements.

(Clerk to handle)

CONSENT

25. Consider excusing Mayor Mensinger for her absence on June 14, 1983, due to her attendance at the U. S. Conference of Mayors annual convention. (Motion excusing absence needed.)

ACTION: By motion, absence excused.

(Clerk to handle)

**CONSENT**

26. Consider authorizing the City Manager to sign a contract with Burroughs Corporation for providing maintenance service on the data processing system located in the Finance Department.  
(Memorandum with agenda. Resolution approving maintenance contract needed. Estimated cost: \$38,095.20; funds are included in the proposed 1983-84 budget.)

**ACTION:** Res. 83-413 adopted approving maintenance contract. (Finance to handle)

**CONSENT**

27. Amend the following sections of the Modesto Municipal Code relating to utility deposits: Section 11-1.13 to adjust the deposit amount required for water service accounts to \$30.00; Section 5-6.02 to establish a deposit requirement of \$20 for sewer service only accounts.  
(Memo with agenda. Introduction of two ordinances and adoption of two resolutions needed.)

**ACTION:** By motion, Ord. No. 2195-C.S. introduced adjusting water service deposits.  
Res. 83-414 adopted establishing an advance deposit for water service.  
By motion, Ord. No. 2196-C.S. introduced adjusting sewer service deposits.  
Res. 83-415 adopted establishing an advance deposit for sewer service.

**CONSENT**

28. Consider approval of Memorandum of Understanding with Modesto City Fire Fighters and an addition to Memorandum of Understanding with the Modesto City Employees Association.  
(Memo with agenda. Resolution approving Memorandum of Understanding with Modesto City Fire Fighters Association needed, and resolution approving addition to Memorandum of Understanding with Modesto City Employees Association needed.)

**ACTION:** Res. 83-416 adopted approving Memorandum of Understanding with Modesto City Fire Fighters Association.  
Res. 83-417 adopted approving addition to Memorandum of Understanding with Modesto City Employees Association. (Mgmt. Services to handle)

**CONSENT**

29. Implementation of Memoradums of Understanding with the Modesto City Employees Association, the Modesto City Fire Fighters Association, the Modesto Police Officer Association and compensation changes for Management and Confidential employees.  
(Memorandum with agenda. Introduction of an ordinance and the adoption of ten resolutions needed.)

**ACTION:** By motion, Ord. No. 2197-C.S. introduced relating to suspension of City employees.  
Res. 83-418 adopted authorizing payment of portions of some employees' contributions to public employees retirement system.  
Res. 83-419 adopted establishing procedure for payment of uniform maintenance allowance for Fire Department personnel.  
Res. 83-420 adopted establishing procedure for payment of uniform allowance for Police Department personnel.

29 (Continued)

- Res. 83-421 adopted authorizing City Manager to sign agreement with vision service plan for vision care.
- Res. 83-422 adopted amending and restating mandatory deferred comp. plan for certain employees and superseding Res. 83-209.
- Res. 83-423 adopted authorizing amendment to City-s long-term disability insurance plan.
- Res. 83-424 adopted amending Sec. 10.2 of the Personnel Rules relating to suspension.
- Res. 83-425 adopted amending Sec. 13.5 of the Personnel Rules relating to sick leave.
- Res. 83-426 adopted establishing salary schedules and fixing compensation for positions in City service.
- Res. 83-427 adopted authorizing payment of group health premium rates.  
(Clerk/Mgmt. Services 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.)

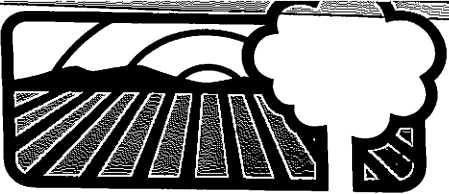
None

ADJOURNMENT

The meeting adjourned at 6:45 p.m.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

\*\*\*\*\*  
The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for June 21, 1983, will not be held because there is no business to transact.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 28, 1983, 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. Andrew Webb, Free Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 5, 6, 7, 8, 10, 11, 15,  
Removed from Consent: 9, 12, 17 and 24 16, 18, 19, 20, 21, 22, 23, 25, 26, 27

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

None

### MINUTES

#### CONSENT

2. Approval of the minutes of the June 21, 1983, 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. 2194-C.S. amending sections of the Code relating to garbage regulations to delete the requirement of licenses to collect salvageable waste.
- b. Ord. No. 2195-C.S. amending the Code relating to deposits for water service.
- c. Ord. No. 2196-C.S. amending the Code relating to advance sewer deposit charges.
- d. Ord. No. 2197-C.S. amending the Code relating to suspension of employees.

(Motion adopting needed.)

ACTION: By motion ordinances adopted.

(Clerk to handle)

HEARINGS

4. Hearing to consider the appeal of Sam and Joe Randy to a Planning Commission decision denying a time extension to the development schedule for P-D(141), which allows a neighborhood shopping center at the southwest corner of Oakdale Road and Floyd Avenue.

ACTION: By motion (Lang/Muratore, unan.) acknowledged receipt from the owner of the property, a request to remove the item from the agenda.

BIDS

CONSENT

5. Consider approval of plans and specifications and call for bids for the construction of Dryden Golf Course maintenance facility.  
(Suggested bid opening: July 19, 1983, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$120,171.92 (Contract; \$117,240.90; Engineering \$2,931.02); funds are budgeted.)

ACTION: Res. No. 83-428 adopted calling for bids.

(Eng. to handle)

CONSENT

6. Consider declaring Genstar Cement and Lime Company low bidder on ready-mixed products and authorizing the purchase of these products at the respective prices bid.  
(Memorandum with agenda. Resolution declaring Genstar Cement and Lime Company low bidder needed. Estimated cost: \$15,000; funds are budgeted.)

ACTION: Res. 83-429 adopted awarding bid. (Finance to handle)

CONSENT

7. Consider authorizing the purchase of one brush chipper from Golden State Equipment Company for the total price of \$13,530.  
(Memorandum with agenda. Resolution awarding bid to Golden State Equipment Co. needed. Funds are budgeted.)

ACTION: Res. 83-430 adopted awarding bid. (Finance to handle)

CONSENT

8. Consider declaring Thomas and Associates sole bidder and authorize the purchase of one emergency pump for the total amount of \$29,453.  
(Memo with agenda. Resolution awarding bid to Thomas and Associates needed. Funds are budgeted.)

ACTION: Res. 83-431 adopted awarding bid. (Finance to handle)

9. Consider rejecting bids for landscaping services for traffic islands, police grounds, and City Hall grounds and provide for City forces to perform services in these areas; and, consider awarding bid for landscape services for pump stations to Continental Landscape.  
(Memorandum with agenda. Resolution rejecting bids for traffic islands, police grounds and City Hall grounds and providing for City forces to perform landscape services and approving landscape maintenance agreement with Continental Landscape for pump stations needed. Estimated cost: \$20,520; funds are budgeted.)

ACTION: Res. 83-432 adopted (Patterson/Lang, unan.) rejecting bids and providing for City staff to perform services.  
Res. 83-433 adopted (same vote) awarding bid to Continental Landscape for landscape maintenance on City pump stations. (Finance to handle)

- CONSENT  
10. Consider rejecting sole bid, approve new specifications, and authorize new call for bids to be opened July 19, 1983, at 2:00 p.m. for furnishing janitorial services at American Legion Hall.  
(Memorandum with agenda. Resolution rejecting bid and authorizing new call for bids needed. Estimated cost: \$6,750; funds are budgeted.)

ACTION: Res. 83-434 adopted rejecting bid and authorizing new call for bids. (Finance to handle)

CONSENT

11. Consider acceptance of Central Valley Roofing's contract to reroof corporation yard buildings. (Original contract: \$44,129)  
(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: \$41,349.36; funds are budgeted.)

ACTION: Res. 83-435 adopted accepting work as complete. (Eng. to handle)

12. Consider waiving formal bid procedures for the 1983-84 fiscal year and authorize 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 at the best available prices and/or source needed. (Five affirmative votes needed.) Estimated cost: \$720,000; funds are budgeted.)

ACTION: Res. 83-436 adopted (Patterson/Sutton, unan.) waiving formal bid procedure. (Finance to handle)

WRITTEN COMMUNICATIONS

13. Letter from Mr. Roger Sprague regarding the Modesto Baseball for Youth program.

ACTION: Dropped from agenda at request of Mr. Sprague.

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

None

NEW BUSINESS

CONSENT

15. Resolution certifying to the Board of Supervisors of the County of Stanislaus the amount of money needed by the City of Modesto for the 1983-84 payment of principal and interest on bonds of the Modesto Municipal Sewer District No. 1.  
(Memo with agenda. Resolution needed.)

ACTION: Res. 83-437 adopted certifying the amount of money needed. (Finance to handle)

CONSENT

16. Consider request for additional lot tax reimbursement of \$811 for Teel Senior Elementary expansion.  
(Memo with agenda. Resolution authorizing additional reimbursement needed, and resolution approving appropriation transfer in the amount of \$1,449 needed.)

ACTION: Res. 83-438 adopted authorizing additional reimbursement.  
Res. 83-439 adopted approving appropriation transfer. (Finance to handle)

17. Consider request of U.S. Tire Sales and Service Company for refund of a \$3,399.57 overpayment of mill tax.  
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 83-440 adopted (Patterson/Lang) approving refund. (Finance to handle)

CONSENT

18. Consider approval of appropriation transfer of \$7,000 from McHenry Mansion Reserve Account to McHenry Mansion Restoration Account.  
(Transfer necessary due to change order and inspection fees for the McHenry Mansion. Resolution approving appropriation transfer needed.)

ACTION: Res. 83-441 adopted approving appropriation transfer. (Finance to handle)

CONSENT

19. Establish budget reserves to comply with provisions of Article XIII B of the State Constitution.  
(Memo with agenda. Resolution establishing reserves needed.)

ACTION: Res. 83-442 adopted establishing reserves. (Finance to handle)

CONSENT

20. Consider authorizing the current Finance Director and his successors to deposit and withdraw money from the Local Agency Investment Fund.  
(Memo with agenda. Resolution authorizing Finance Director and successors to deposit and withdraw money needed.)

ACTION: Res. 83-443 adopted authorizing Finance Director and successors to deposit and withdraw money. (Finance to handle)

CONSENT

21. Consider approving the grant agreement for Federal funding to reconstruct approximately 17,000 square yards of general aviation aircraft parking apron, including drainage, tie-downs, and marking at the Modesto City-County Airport. (On April 26, 1983, the City Council by resolution authorized the staff to submit an application for a Federal grant to reconstruct a portion of the general aviation aircraft parking apron in the amount of \$171,000. The Federal Aviation Administration has forwarded the grant agreement for final City processing at this time. Memo with agenda. Resolution authorizing City Manager to accept the grant agreement on behalf of the City needed. Estimated cost: \$190,000; funds are budgeted.)

ACTION: Res. 83-444 adopted authorizing the City Manager to accept the grant agreement.  
(Utility Services to handle)

CONSENT

22. Consider amendment to Position Classification Plan to add a new class of "Street Trees Crew Leader" and amend the classes of "Housing Conservationist," "Housing Rehabilitation Specialist I," "Police Officer," and "Tree Trimmer." No change in salary levels.  
(Memo with agenda. Resolution amending Position Classification Plan needed, and resolution amending Alphabetical Listing of Classification in the salary resolution needed.)

ACTION: Res. 83-445 adopted amending Position Classification Plan.

Res. 83-446 adopted amending Alphabetical Listing of Classification in the salary schedule.  
(Mgmt. Services to handle)

CONSENT

23. Consider setting date for public hearing for proposed "McHenry-Dry Creek Municipal Reorganization."  
(On June 15, 1983, LAFCO approved this inhabited annexation, which was submitted to them by petitions of property owners within the McHenry-Dry Creek Fire District. This municipal reorganization includes all of the McHenry-Dry Creek Fire District except for about 800 acres east of Oakdale Road and north of Briggsmore Avenue. The seven non-contiguous areas in the northeast and northeast central sections of Modesto include single-family residential, mobile home park, rural residential, commercial and agricultural properties and totals approximately 420 acres. There are three Williamson Act contracts within the proposed annexation. Resolution initiating annexations proceedings and setting public hearing at 4:00 p.m. on August 2, 1983 needed.)

ACTION: Res. 83-447 adopted initiating annexation proceedings and setting hearing.  
(Clerk to handle)

24. Consider approving two letter agreements with Robert L. Crisp, MAI, and R. W. Arnold, MAI, to appraise three properties each.  
(The City is studying the prospect of acquiring three properties on which to dispose of treated wastewater to complete its wastewater treatment project. Two resolutions approving letter agreements needed. Estimated cost: \$17,000; funds are budgeted.)

ACTION: Res. 83-448 adopted (Patterson/Bright, unan.) approving agreement with Robert L. Crisp, MAI.  
Res. 83-449 adopted (same vote) approving agreement with R.W. Arnold, MAI.

CONSENT

25. a) Consider request by Bertolotti Disposal Service for a new limited license to collect garbage.  
b) Consider adoption of an urgency ordinance extending Bertolotti Disposal Service's existing license for 90 days while the application for a new license is being processed.

(Bertolotti Disposal Service has been providing garbage service to residents of Modesto for the past eight years. The staff is recommending approval of the request for a new license. Memo with agenda. Resolution of intention to consider the application for a new license and setting public hearing at 4:00 p.m., July 19, 1983, needed; and adoption of an urgency ordinance needed.)

ACTION: By motion, Ord. No. 2198-C.S. introduced extending Bertolotti Disposal Service's existing license for 90 days.

Res. 83-450 adopted setting hearing regarding Bertolotti Disposal Service's request for a new limited license to collect garbage. (Clerk to handle)

CONSENT

26. a) Consider request by Orange Line Sanitation Company, Inc. for a new limited license to collect garbage.  
b) Consider adoption of an urgency ordinance extending Orange Line Sanitation Company's existing license for 90 days while the application for a new license is being processed.

(Orange Line Sanitation Company, Inc. has been providing garbage service to the residents of Modesto for the past 14 years. The staff is recommending approval of the request for a new license. Memo with agenda. Resolution of intention to consider the application for a new license and setting public hearing at 4:00 p.m., July 19, 1983, needed; and adoption of an urgency ordinance needed.)

ACTION: By motion, Ord. No. 2199-C.S. introduced extending Orange Line's existing license for 90 days.

Res. 83-451 adopted setting hearing regarding Orange Line Sanitation Company's request for a new limited license to collect garbage. (Clerk to handle)

CONSENT

27. Consider approval of the final map of The Vineyard No. 2 subdivision and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Bright Development (The subdivision agreement has been signed, and all fees paid. The Vineyard No. 2 is located north of Standiford Avenue and west of the Tidewater Southern Railway Company right of way. It contains 6.70 acres, more or less. Resolution approving final map needed.)

ACTION: Res. 83-452 adopted approving final map. (Engineering to handle)

MISCELLANEOUS

28. Appointments

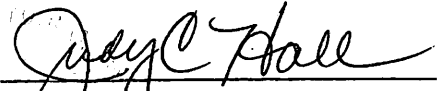
None

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

ACTION: Res. 83-453 adopted (Bright/Sutton, unan.) authorizing filing of Notice of Determination regarding EDA grant application to finance expansion of downtown parking facility.

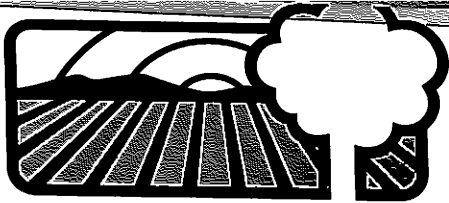
ADJOURNMENT

The meeting adjourned at 7:55 p.m. to closed session to consider property acquisition.

ATTEST:   
JUDY C. HALL, Acting City Clerk

\*\*\*\*\*

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for June 28, 1983, will not be held because there is no business to transact.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 5, 1983, AT 4:00 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. Bill Sidorvich, Big Valley Grace Community Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 8, 9, 10, 11, 12, 13, 14, 15,  
18, 19, 20, 21, 22, 23, 24, 25, 26

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

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

### ACKNOWLEDGEMENTS AND PRESENTATIONS

#### 1. Suggestion Award:

To Rodrick Rossall: \$50 - Parking and Traffic Department employee, for a "safety" saving idea to install center supports in transit shelters.  
(Mayor to present award. Funds are budgeted.)

ACTION: Acting Mayor Bright presented check to Mr. Rossall.

Colleen Bare, Culture Commission, presented Councilmember Sutton with a resolution of appreciation.

Acting Mayor Bright introduced exchange student, Janette Paulsen.

### MINUTES

#### CONSENT

2. Approval of the minutes of the June 28, 1983, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

## UNFINISHED BUSINESS

### CONSENT

3. Final adoption of Ord. No. 2191-C.S. rezoning from P-D(254) to R-1 and R-2, property located on the north side of Rumble Road east of Prescott Road.  
(Steinpress)  
(Motion adopting needed.)

ACTION: By motion, ordinance adopted.

(Clerk to handle)

## HEARINGS

4. Appeal by William A. Huckaby and Associates to a decision of the Planning Commission concerning the tentative subdivision map of Cedarbrook No. 2 and 3, property located on the north side of Scenic Drive west of Claus Road.

ACTION: Res. 83-454 adopted (Lang/Patterson, unan., Mayor Mensinger absent) granting the appeal and approving tentative map of Cedarbrook No. 2 and 3. (Planning to handle)

5. Necessity hearing to consider acquisition of property of Amir Ameri et al for the Oakdale/Briggsmore to Floyd project.

ACTION: Res. 83-455 adopted (Muratore/Whiteside, unan., Mayor Mensinger absent) determining necessity to acquire property. (Atty/Eng. Serv. to handle)

6. Hearing to consider amendment to Section 9-3-9 of the Zoning Map to rezone from P-D(301) to R-2, property located on Las Cruces Court west of Coffee Road.  
(Bright Development)

ACTION: By motion (Lang/Muratore, unan., Mayor Mensinger absent) Ord. 2200-C.S. introduced.  
Res. 83-456 adopted (same vote) certifying review of Environmental Assessment.  
(Planning/Clerk to handle)

7. Hearing to consider amendment to Sec. 15-3-9 of the Zoning Map to rezone from P-D(282) to P-0, property located on the east side of Coffee Road south of Ensenada Drive. (Planning Commission initiated)

ACTION: By motion (Patterson/Sutton, unan., Mayor Mensinger absent) Ord. 2201-C.S. introduced approving rezoning. (Planning/Clerk to handle)

BIDS

CONSENT

8. Consider award of contract for asphalt concrete overlay - residential streets, 1983-84.  
(Bids were opened on June 28, 1983. The low bid of \$159,985.90, submitted by The Flintkote Co., 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 The Flintkote Co. needed. Funds are budgeted.)

ACTION: Res. 83-457 adopted awarding contract. (Eng. to handle)

CONSENT

9. Consider award of contract for slurry seal - residential streets, 1983-84.  
(Bids were opened on June 28, 1983. The low bid of \$85,426.75, submitted by California Pavement Maintenance, is 12% 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 California Pavement Maintenance needed. Funds are budgeted.)

ACTION: Res. 83-458 adopted awarding contract. (Eng. to handle)

CONSENT

10. Consider acceptance of B & L Builders' contract for the construction of Muncy Neighborhood Park Utility Building (LWCF No. 06-00735). (Original contract and final cost: \$57,104)  
(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. Funds are budgeted.)

ACTION: Res. 83-459 adopted accepting work as complete. (Eng./P.R. to handle)

CONSENT

11. Consider acceptance of Fries Landscaping's contract for the Briggsmore/Sunrise landscaping and irrigation project. (Original contract: \$15,555)  
(All work on this project has been completed to the satisfaction of the Engineering Department and Parks and Recreation Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$14,848.52; funds are budgeted.)

ACTION: Res. 83-460 adopted accepting work as complete. (Eng./P.R. to handle)

CONSENT

12. Consider approval of plans and specifications and call for bids for the construction of temporary bus parking expansion.  
(Suggested bid opening: July 26, 1983, at 11:00 a.m. This project will demolish existing facilities on the Vallerand property (Ramont's Tow Service), and construct a 41,000 square feet asphalt parking lot. The lot will be used for bus parking until the new bus maintenance facility is constructed in 1986. The parking lot will then be used as part of the service yard expansion. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$88,000 (contract \$80,000; engineering \$8,000); funds are budgeted.)

ACTION: Res. 83-461 adopted calling for bids.

(Eng. to handle)

CONSENT

13. Consider waiving formal bid procedures and authorize the purchase of one bus engine from Bonander Pontiac for \$9,222.  
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase of bus engine needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 83-462 adopted waiving formal bid procedures.

(Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

14. Consider request of Downtown Improvement District to use downtown sidewalks for selling of merchandise on July 13, 14, 15 & 16, 1983.  
(Motion approving needed.)

ACTION: By motion, request approved.

CONSENT

15. Set hearing to consider the appeal of Michael deRousi and Gary Hansen, World Real Estate and Development, to a Planning Commission decision regarding Cape Cod Estates tentative subdivision map.  
(Resolution setting hearing July 19, 1983, at 4:00 p.m. needed.)

ACTION: Res. 83-463 adopted setting hearing.

(Clerk to handle)

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

None

## NEW BUSINESS

17. Consider Renaissance Committee recommendations on parking. (Memo with agenda. The Committee recommends increasing monthly parking fees, replacing attendant operation at 9th & I lot, and allowing disabled persons to park free on lots/garages. Resolution changing monthly parking fees, allowing disabled persons to park free on City lots/garages, and changing the classification of Lot 2 to Parking Ticket Lot needed; and resolution transferring \$900 for a ticket vending machine needed.)

ACTION: Res. 83-464 adopted (Lang/Sutton, majority, Whiteside-no, Mayor Mensinger-absent) approving Renaissance Committee's recommendations on parking fees.  
Res. 83-465 adopted (Sutton/Whiteside, unan., Mayor Mensinger absent) transferring funds for ticket vending machine.

### CONSENT

18. Consider approval of the final map of the resubdivision of Hillsboro Heights subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(a) of the Modesto Municipal Code. (Subdividers: Carrie Hill Freese, Transworld Financial Corp., Inc., Transworld Financial Corp. Pension Plan and Transworld Financial Corp. Profit Plan)  
(The subdivision agreement has been signed and all fees paid. The resubdivision of Hillsboro Heights is located north of west Rumble Road and east of Prescott Road. It contains 5.81 acres. Resolution approving final map needed.)

ACTION: Res. 83-466 adopted approving final map. (Clerk to handle)

### CONSENT

19. Consider declaring the equipment and property listed on the Surplus Property Listings with agenda as surplus to the City's needs and authorizing the Purchasing Officer to advertise and sell the items on a sealed bid basis.  
(Memorandum with agenda. Resolution declaring equipment and property surplus and authorizing sale needed.)

ACTION: Res. 83-467 adopted declaring equipment and property surplus and authorizing sale. (Finance to handle)

### CONSENT

20. Consider opposing decreased federal funding for bus systems and a corresponding increase in federal funding for rail transit.  
(Memo with agenda. The American Public Transit Association (APTA) had requested the federal funding decrease (\$95 million) for bus systems and the funds to be used for rail transit. The request would reduce the City's chances of obtaining funding for its new bus maintenance facility. Motion authorizing the Mayor to sign and send a letter opposing the APTA request needed.)

ACTION: By motion, Mayor authorized to sign and send a letter opposing the APTA request. (P.T./Manager to handle)

CONSENT

21. Consider new and revised radar-enforceable speed limits.  
(Memo with agenda. Twenty-seven radar-enforceable speed limits are expiring. One revised radar speed limit and three new speed limits are also proposed. Introduction of ordinance amending Municipal Code Section 3-2.1401.1 needed. Estimated cost: \$1,100; funds are budgeted.)

ACTION: By motion, Ord. No. 2202-C.S. introduced.

(Clerk to handle)

CONSENT

22. Consider appropriation transfer to purchase additional street name signs for McHenry Avenue.  
(Memo with agenda. It is recommended that additional street name signs be installed on McHenry to help motorists find addresses and to help identify cross streets. An appropriation transfer of \$2,700 is needed for materials. Resolution approving appropriation transfer needed. Estimated cost: \$3,240 (materials \$2,700; labor \$540); funds are partially budgeted.)

ACTION: Res. 83-468 adopted approving appropriation transfer.

(P.T. to handle)

CONSENT

23. Consider continuation of transit advertising contract through December 31, 1983.  
(Memo with agenda. The City-County Joint Transportation Committee recommends a continuation of this contract through December 31, 1983 and a reconsideration of the matter somewhat before that date. The present contract expires on July 1, 1983, but it has automatic monthly extensions. Motion approving continuation of contract through December 31, 1983, at a cost not to exceed \$15,000 needed. Funds are budgeted.)

ACTION: By motion, contract continued through December 31, 1983 at a cost not to exceed \$15,000.

(P.T. to handle)

CONSENT

24. Consider renewal of boiler and machinery insurance with Kemper Group.  
(Memo with agenda. Resolution approving renewal of insurance policy with Kemper Group for a three-year term. Estimated annual cost: \$3,503; funds are budgeted.)

ACTION: Res. 83-469 adopted approving renewal of insurance policy with Kemper Group.

(Mgmt. Services to handle)

CONSENT

25. Consider approval of a \$10,000 fee to the State Water Resources Control Board for modification of the Waste Discharge Permit for the wastewater treatment plant.  
(The present permit allowing waste discharge for the wastewater treatment plant must be modified as part of the expansion and modification project for the treatment plant. The Regional Water Quality Control Board requires a new permit be submitted when requesting modification of discharge requirements. A fee of \$10,000, which is grant eligible, is charged for the processing of such permits. Memo with agenda. Resolution authorizing payment of fee for Waste Discharge Permit needed. Funds are budgeted.)

ACTION: Res. 83-470 adopted authorizing payment of fee for Waste Discharge Permit.

(Utility Serv. to handle)

MISCELLANEOUS

CONSENT

26. Legislation: Staff recommends supporting the \$1 million budget augmentation to the State Water Resources Control Board to survey underground tanks storing hazardous material.  
(Memo and attachment with agenda. Motion accepting staff recommendations needed.)

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

27. Appointments

ACTION: Res. 83-471 adopted (Lang/Whiteside, unan., Mayor Mensinger absent) appointing Frank Boots to the Downtown Improvement District, term to expire 3/28/87

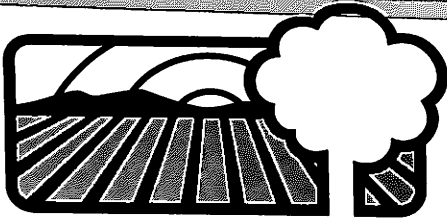
28. MATTERS TOO LATE FOR THE AGENDA  
(These may be presented by members of the City Council and staff.)

None

Adjourned at 5:30 p.m. to Wednesday, July 6, 1983, at 4:00 p.m. in the Council Chambers for a joint City Council-Redevelopment Agency meeting.)

ATTEST:

  
JUDY C. HALL, Acting City Clerk



# MODESTO CITY COUNCIL MODESTO REDEVELOPMENT AGENCY

## MINUTES AND ACTION AGENDA

AGENDA FOR ADJOURNED REGULAR JOINT CITY COUNCIL-REDEVELOPMENT AGENCY MEETING OF WEDNESDAY, JULY 6, 1983, AT 4:00 P.M.

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

Absent: Mayor Mensinger

Redevelopment Agency

Roll Call - Present: Agencymembers Lang, Muratore, Patterson,  
Sutton, Whiteside, Acting Chairperson Bright

Absent: Chairperson Mensinger

### HEARING

Joint City Council-Redevelopment Agency public hearing on adoption of Redevelopment Plan for Modesto Redevelopment Project and certification of Final EIR relating thereto.

ACTION: By motion, (Muratore/Patterson, unan., Mayor Mensinger absent) joint hearing on Redevelopment Plan and Final Environmental Impact Report closed.

### Redevelopment Agency in Session

ACTION: Res. 5-83 adopted (Lang/Muratore, unan., Chairperson Mensinger absent) certifying completion of Final EIR for Modesto Redevelopment Project.

Res. 6-83 adopted (Patterson/Sutton, unan., Chairperson Mensinger absent) finding that the use of taxes allocated from Project Area for improving and increasing community's supply of low and moderate income housing outside Project Area will be of benefit to project.

Res. 7-83 adopted (Sutton/Whiteside, unan., Chairperson Mensinger absent) relative to future financial impacts on Yosemite Junior College District, Modesto City School District and Modesto High School District.

Res. 8-83 adopted (Sutton/Whiteside, unan., Chairperson Mensinger absent) relative to potential financial impact of project on County and East Side Mosquito Abatement District in connection with development of Lincoln School site.

Res. 9-83 adopted (Sutton/Whiteside, unan., Chairperson Mensinger absent) directing Executive Director of Agency to prepare agreement with affected taxing entities relative to potential financial impacts of Redevelopment Project.

Redevelopment Agency adjourned at 6:00 p.m.

City Council in Session

ACTION: By motion, (Muratore/Lang, unan., Mayor Mensinger absent) written and oral objections to Redevelopment Plan overruled.

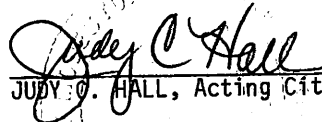
Res. 83-472 adopted (Whiteside/Sutton, unan. Mayor Mensinger absent) certifying completion of Final EIR for Modesto Redevelopment Project.

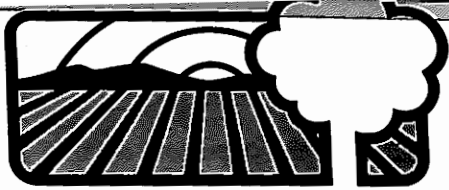
Res. 83-473 adopted (Patterson/Sutton, unan. Mayor Mensinger absent) finding that use of taxes allocated from Redevelopment Agency Project for improving and increasing community's supply of low and moderate income housing outside project area will be of benefit to the project.

By motion, (Lang/Whiteside, unan., Mayor Mensinger absent) Ord. No. 2203-C.S. introduced approving and adopting the Redevelopment Plan for the Modesto Redevelopment Project.

City Council adjourned at 6:05 p.m.

ATTEST:

  
JUDY C. HALL, Acting City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 12, 1983, 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

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 6, 8, 10

Removed from Consent: 9

ACTION: (Whiteside/Muratore, 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

Councilmember Sutton extended compliments to Mary Grogan and the Parks and Recreation Department, and to the Police Department for the success of the picnic in the park.

## MINUTES

### CONSENT

2. Approval of the minutes of the July 5, 1983, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. a) Final adoption of Ord. 2200-C.S. amending Section Map 9-3-9 of the Zoning Map to rezone from P-D(301) to R-2, property located on Las Cruces Court west from Coffee Road (Bright Development).
- b) Final adoption of Ord. No. 2201-C.S. amending Section 15-3-9 of the Zoning Map to rezone from P-D(282) to P-0, property located on the east side of Coffee Road south of Ensenada Drive.
- c) Final adoption of Ord. No. 2202-C.S. amending Section 3-2.1401.1 of Article 14 of Chapter 2 of Title III of the Modesto Municipal Code relating to speed limits in the City of Modesto.
- d) Final adoption of Ord. No. 2203-C.S., approving and adopting the Redevelopment Plan for the Modesto Redevelopment Project.  
(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

BIDS

CONSENT

4. Consider approving specifications and authorize call for bids to be opened August 9, 1983, at 2:00 p.m., for furnishing three microcomputers.  
(Memorandum with agenda. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$15,000. Funds are budgeted.)

ACTION: Res. 83-474 adopted calling for bids.

(Finance to handle)

CONSENT

5. Consider approval of plans and specifications and call for bids for the reconstruction of Pump Station No. 28.  
(Suggested bid opening: August 2, 1983 at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$39,675 (\$34,500 Contr. \$5,175 Eng.) Funds are budgeted.)

ACTION: Res. 83-475 adopted calling for bids.

(Eng. to handle)

CONSENT

6. Consider accepting Dale/Veneman traffic signal contract as complete.  
(Memo with agenda. The contract was awarded to Walther Electric Co. on November 9, 1982, for \$71,900. One change order was issued to extend one portion of sidewalk for an additional \$300. This signal was paid for by Vintage Faire Associates. Resolution accepting project as complete needed. Final Cost: \$72,200. Funds are budgeted.)

ACTION: Res. 83-476 adopted accepting project as complete.

(Clerk to handle)

None

NEW BUSINESS

CONSENT

- 8. Consider request for sewer service to property outside City limits at 1318 Hays street, located on the west side of Hays Street between Robertson Road and Kenneth Street. (Owners: Friendship Southern Baptist Church)  
(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. 83-477 adopted approving agreement. (Eng. to handle)

- 9. Consider approval of application for funding under the Office of Historic Preservation for the McHenry Mansion Restoration.  
(The Office of Historic Preservation has made available grants to local governments for preservation projects under the Federal Jobs Act of 1983. This application would be for the construction of restrooms in the McHenry Mansion. Memo with agenda. Resolution authorizing grant application needed.)

ACTION: Res. 83-478 adopted (Sutton/Patterson, unan., Mayor Mensinger absent) authorizing grant application. (P.R. to handle)

MISCELLANEOUS

CONSENT

- 10. Legislation: Staff recommends:

Supporting - a) AJR 60 (Moore) Cable Television  
b) AB 999 (Sher) Elections by Mail

Opposing - c) AB 469 (Campbell) Licensing of Public Agency Community Care Facilities  
d) H.R. 3110 (Pickle) Tax Benefits for Property Used by Tax-Exempt Entities

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

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

- 11. Appointments

ACTION: Res. 83-479 adopted (Lang/Sutton, unan., Mayor Mensinger absent) appointing Laura Jett to Housing Maintenance and Counseling Subcommittee replacing Paul Nixon, term to expire 6/30/86.

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

None

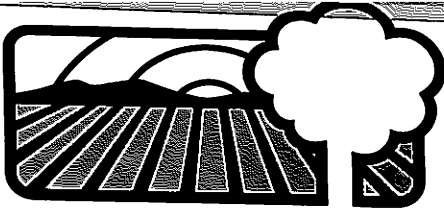
ADJOURNMENT

The meeting adjourned at 7:40 p.m.

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

\*\*\*\*\*

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for July 12, 1983, will not be held because there is no business to transact.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 19, 1983, 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. Roy Blakeley, Modesto Neighborhood Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 10, 11, 12, 13, 15, 17

Dropped from agenda: 14

ACTION: (Muratore/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 July 12, 1983, regular City Council meeting, and the adjourned regular joint City Council-Redevelopment Agency meeting minutes of July 6, 1983.

(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

HEARINGS

- 3. Hearing to consider application of Bertolotti Disposal, Inc. for a new limited license to collect garbage.

ACTION: By motion (Lang/Muratore, unan.) Ord. No. 2204-C.S. introduced, renewing for 10 years. (Clerk to handle)

- 4. Hearing to consider application of Orange Line Sanitation Co., Inc. for a new limited license to collect garbage.

ACTION: By motion (Lang/Whiteside, unan.) Ord. No. 2205-C.S. introduced, renewing for 1 year. (Clerk to handle)

- 5. Hearing to consider the appeal of Michael deRousi and Gary Hansen, World Real Estate and Development, to a Planning Commission decision regarding Cape Cod Estates tentative subdivision map.

ACTION: Res. 83-480 adopted (Patterson/Bright, unan.) granting appeal. (Planning to handle)

BIDS

CONSENT

- 6. Consider approving specifications and authorize call for bids to be opened August 9, 1983, at 2:10 p.m., for furnishing dredging services. (Memorandum with agenda. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$6,000. Funds are budgeted.)

ACTION: Res. 83-481 adopted calling for bids. (Finance to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

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

By consensus of the Council, the Mayor was requested to write a letter to Sacramento expressing the Council's displeasure with the way the State budget process has been handled.

NEW BUSINESS

8. Designation of voting delegate and voting alternate for League of California Cities Annual Conference.  
(Motion designating voting delegate and voting alternate needed.)

ACTION: By motion (Lang/Patterson, unan.) Mayor Mensinger designated as voting delegate and Vice Mayor Bright designated as alternate. (Clerk to handle)

9. Presentation of feasibility study for the proposed new police building.  
(Memorandum with agenda. Motion acknowledging receipt of the study and directing staff to report back to the Council regarding the preferred alternative and the proposed implementation needed.)

ACTION: By motion (Lang/Muratore, unan.) receipt of study acknowledged and referred to staff to report back to Council on the preferred alternative. (Police to handle)

CONSENT

10. Consider approving agreement with the Housing Authority of the County of Stanislaus for the acquisition of 0.06± acre of right of way needed for the Scenic/County Hospital to Sunnyside project.

(The Housing Authority has agreed to dedicate the required right of way in return for the City's allowing them to use the gross area of their property to determine the number of units they can develop. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 83-482 adopted approving agreement. (Utilities to handle)

CONSENT

11. Consider amendment to amended and restated credit agreement with Crocker National Bank (Housing Program Office).

(A change is proposed in Paragraph 16 of agreement relating to term of agreement to have a two-year term with a time certain expiration date rather than be automatically renewed annually. Resolution approving amended credit agreement needed.)

ACTION: Res. 83-483 adopted approving amended credit agreement. (Planning to handle)

CONSENT

12. Consider approving lease agreement with Wendel and Patricia Lackey for the lease of the former Sommerfeld house in proposed Dry Creek Park.

(Mr. and Mrs. Lackey will lease the house for one year, pay taxes, maintain the property, and do some repairs. The rent is \$500 per month. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 83-484 adopted approving agreement. (Utilities to handle)

CONSENT

13. Consider approval of an agreement with Blue Cross of California to renew the \$20,000 Specific Stop Loss Coverage for the period July 1, 1983 to June 30, 1984.  
(Memorandum with agenda. Resolution approving agreement needed.)

ACTION: Res. 83-485 adopted approving agreement. (Mgmt. Services to handle)

CONSENT

- 14. Consider approval of an agreement between the City and Donald Grover, AIA, and Associates for the preparation of the plans and specifications for a portion of the basement of the McHenry Mansion restoration project.  
(This agreement would provide for the preparation of the plans and specifications for a portion of the basement at McHenry Mansion. Project includes restrooms, lift pump, elevator shaft excavation, partial new basement floor, reinforcing basement walls, storage and utility room. Memo with agenda. Resolution approving agreement needed, and resolution approving appropriation transfer of \$5,150 needed.)

Dropped from agenda.

CONSENT

- 15. Recommend to Council the part time closure of the alley in Block 68 (bounded by 10th, 11th, I and J Streets) to vehicular traffic.  
(On July 6, 1983, the Planning Commission adopted Resolution 83-96 recommending to the City Council the part time closure of the alley in Block 68 to vehicular traffic. Resolution setting public hearing August 9, 1983, at 7:30 p.m. needed.)

ACTION: Res. 83-486 adopted setting hearing. (Clerk to handle)

- 16. Consider adoption of an ordinance declaring the need for the Industrial Development Authority of the City of Modesto and that such authority shall function.  
(This ordinance would establish an Industrial Development Authority in the City of Modesto. Memo with agenda. Introduction of ordinance needed.)

ACTION: By motion(Lang/Whiteside, unan.) Ord. No. 2206-C.S. introduced. (Clerk to handle)

MISCELLANEOUS

CONSENT

- 17. Legislation: Staff recommends supporting AB 1848 - Boundary Changes of special districts.  
(Memo and attachment with agenda. Motion accepting staff recommendation needed.)

ACTION: By motion, staff recommendation 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

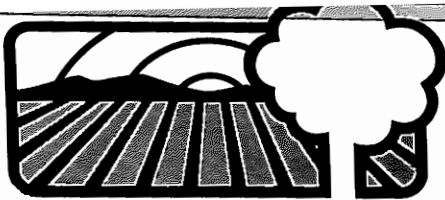
ADJOURNMENT

The meeting adjourned at 6:15 p.m.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

\*\*\*\*\*

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for July 19, 1983, will not be held because there is no business to transact.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 26, 1983, AT 7:30 P.M.

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

Absent: Councilmember Lang

Pledge of allegiance to the Flag

Invocation: Rev. Ben Meyers, Prescott Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 5, 6, 8, 10, 11, 12, 13,  
Dropped from agenda: 9 15, 16  
Removed from consent: 14

ACTION: (Patterson/Sutton, unan.)

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

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

### MINUTES

CONSENT  
2. Approval of the minutes of the July 19, 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. 2204-C.S. granting to Bertolotti Disposal Service a license to collect garbage in the City of Modesto.
  - b. Ord. No. 2205-C.S. granting to Orange Line Sanitation Company a license for the collection of garbage in the City of Modesto.
  - c. Ord. No. 2206-C.S. declaring the need for the Industrial Development Authority of the City of Modesto and that the Authority shall function.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

## HEARINGS

4. Hearing concerning the filing of an application for a Federal Transit Operating Assistance Grant for 1983-84.

ACTION: Res. 83-487 adopted (Muratore/Whiteside, unan., Lang) approving filing of application. (P/T to handle)

## BIDS

### CONSENT

5. Consider approval of plans and specifications and call for bids for the construction of waterline extension in Block 101.  
(Suggested bid opening: August 16, 1983, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$16,545.40 (contract \$12,314; engineering \$1,231.40; City cost/tapping sleeve \$3,000); funds are budgeted.)

ACTION: Res. 83-488 adopted calling for bids.

(Eng. to handle)

### CONSENT

6. Consider award of contract for the construction of Dryden Golf Course maintenance facility.  
(Bids were opened on July 19, 1983. The low bid of \$118,370, submitted by Grover Construction is 1% above the engineer's estimate and considered acceptable. It is therefore recommended by the Engineering and Parks and Recreation Department that the contract be awarded to them. Resolution awarding contract to Grover Construction needed. Funds are budgeted.)

ACTION: Res. 83-489 adopted awarding contract.

(Eng. to handle)

7.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Councilmember Patterson informed the Council and public that there will be a Town Hall Forum, August 1, 1983, from 7:00 to 9:00 p.m. at the Modesto-Stanislaus Library in the McHenry Room, with Senator Stephen Teale speaking.

NEW BUSINESS

CONSENT

8. Recommend to Council that a letter of complaint be prepared and sent to the Civil Aeronautics Board stating Modesto's concerns regarding Air Chaparral's fitness to continue as an essential air service carrier for the City of Modesto to San Francisco. (Air Chaparral, Inc.'s financial problems, aircraft availability, reliability (last week they canceled one-third of their flights), and public awareness of their financial difficulties have hurt public confidence for traveling on the airline. Memo with agenda. Motion authorizing Mayor to send letter indicating City's position needed.)

ACTION: By motion, Mayor Mensinger authorized to send letter. (Mgr. to handle)

9. Consider approval of the final map of the Corson Estates subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. (The subdivision agreement has been signed and all fees paid. Corson Estates subdivision is located on the northwest corner of Corson and Melrose. It contains 1.54 acres. Resolution approving final map needed.)

Dropped from agenda

CONSENT

10. Consider designation of the City Council as the Industrial Development Authority Board of Directors. (Action implements Industrial Development Authority previously approved. Resolution designating Council as Industrial Development Authority Board of Directors needed.)

ACTION: Res. 83-490 adopted designating Council as Industrial Development Authority Board of Directors. (Planning to handle)

CONSENT

11. Consider approval of revision in Senior Citizen Center rental rates. (Due to a substantial increase in the rental rates at the Senior Citizens Center, the senior clubs using the Center would like to spread the increase over a two-year period. Memo with agenda. Resolution adopting new rental rates for the Senior Citizens Center needed.)

ACTION: Res. 83-491 adopted adopting new rental rates for the Senior Citizens Center. (P/R and Finance to handle)

CONSENT

12. Consider approval of appropriation transfer from McHenry Mansion Reserve Account to McHenry Mansion Restoration Capital Account in the amount of \$3,790 for the purchase of furniture for the McHenry Mansion.  
(This transfer is necessary in order to purchase furniture for the McHenry Mansion. The items to be purchased are a piano lamp (\$398) and a bookcase and secretary (\$3,392). The Native Daughters of the Golden West and Omega Nu donated money to the Reserve Account for the purchase of these items. Resolution approving appropriation transfer needed.)

ACTION: Res. 83-492 adopted approving appropriation transfer.

(Finance to handle)

CONSENT

13. Consider authorizing pre-application and application for federal funding to complete and equip Modesto's Emergency Operation Center.  
(Project to be financed from available revenue sharing funds. Memo with agenda. Resolution authorizing City Manager to sign pre-application/application needed. Estimated cost: \$21,100; funds are budgeted.)

ACTION: Res. 83-493 adopted authorizing City Manager to sign pre-application/application.

14. Consider approving agreement with Conrad Associates for preparation of preliminary plans for a two-level expansion of the existing four-level Eleventh Street parking garage.  
(Memo with agenda. The agreement authorizes preliminary plans at a cost not to exceed \$11,500. If an impending EDA grant materializes, it will be necessary to prepare a second agreement to complete the plans. Conrad Associates was selected as the only firm capable of meeting EDA grant deadlines. Resolution approving appropriation transfer needed and resolution approving agreement needed.)

ACTION: By motion (Bright/Whiteside, unan., Lang absent) delayed action until August 2, 1983 meeting in order to have representatives from Conrad Associates present and staff report on questions raised.  
(Finance/P.T. to handle)

CONSENT

15. Consider directing the City staff to initiate the Mandatory Sidewalk Program on El Vista Avenue.  
(Memo with agenda. Motion directing staff to proceed with Mandatory Sidewalk Program needed.)

ACTION: By motion, staff directed to proceed.

(Eng. to handle)

MISCELLANEOUS

CONSENT

16. Legislation: Staff recommends:

- a) Opposing SB 870 (Deddeh) Local Safety Member's Disability Retirement: Time Limitations.
- b) Supporting AB 1362 (Sher) Protection of Underground Hazardous Material  
(Memos and attachments with agenda. Motion accepting staff recommendations needed.)

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

17. Appointments

None

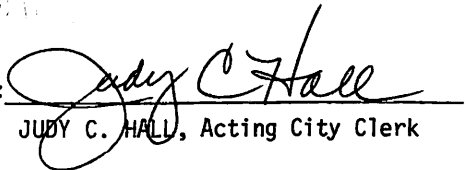
18. MATTERS TOO LATE FOR THE AGENDA  
(These may be presented by members of the City Council and staff.)

Mayor Mensinger spoke about meeting of the Plant Closure Task Force and mechanism being set up for reactivating center for employees laid off at FMC and S & W Tree Nut.

ADJOURNMENT

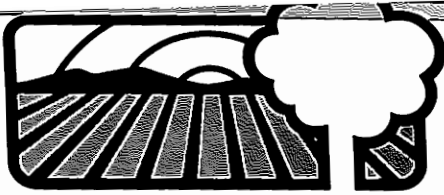
The meeting adjourned at 8:37 p.m.

ATTEST:

  
 JUDY C. HALL, Acting City Clerk

\*\*\*\*\*

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for July 26, 1983, will not be held because there is no business to transact.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 2, 1983, 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. Mel Turner, Central Valley Crusade

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18

ACTION: (Lang/Patterson, unan.)

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

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

## MINUTES

### CONSENT

2. Approval of the minutes of the July 26, 1983, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

### UNFINISHED BUSINESS

3. Consider approving agreement with Conrad Associates for preparation of preliminary plans for a two-level expansion of the existing four-level Eleventh Street parking garage.  
(Memos and copy of proposed agreement with agenda. The agreement authorizes preliminary plans at a cost not to exceed \$11,500. If an impending EDA grant materializes, it will be necessary to prepare a second agreement to complete the plans. Conrad Associates was selected as the only firm capable of meeting EDA grant deadlines. Resolution approving appropriation transfer needed, and resolution approving agreement needed.) (Held over from July 26, 1983, City Council meeting.)

ACTION: Res. 83-494 adopted (Lang/Bright, unan.) approving appropriation transfer.  
Res. 83-495 adopted (Lang/Bright, unan.) approving agreement. (P.T./ Finance to handle)

### HEARINGS

4. Hearing to consider proposed McHenry-Dry Creek Municipal Reorganization.

ACTION: Res. 83-496 adopted (Muratore/Whiteside, unan.) annexing McHenry-Dry Creek Municipal Reorganization. (Clerk/Planning to handle)

5. Hearing to consider amendment to Sec. 29-3-9 of the Zoning Map to rezone from C-1 to C-2 property located at the northeast corner of Needham and College Avenue. (Glen Wild/Wild Signs)

ACTION: By motion (Muratore/Patterson, unan.) Ord. No. 2207-C.S. introduced.  
Res. 83-497 adopted (same vote) certifying review of Environmental Assessment Report. (Clerk/Planning to handle)

### BIDS

#### CONSENT

6. Consider approval of plans and specifications and call for bids for storm drain extension on Manor Oak Drive between Walnut Tree Drive and Lincoln Oak Drive. (Suggested bid opening: August 23, 1983, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$48,500 (Contract \$44,910; Engineering \$3,590); funds are budgeted.)

ACTION: Res. 83-498 adopted calling for bids. (Eng. to handle)

CONSENT

7. Consider acceptance of Ted R. Jenkins' contract for the slurry seal program - 1981-82. (Original contract: \$203,391.69)  
(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: \$214,230.57; funds are budgeted.)

ACTION: Res. 83-499 adopted accepting work as complete. (Clerk to handle)

CONSENT

8. Consider acceptance of Ted R. Jenkins' contract for Downtown City streets - second layer slurry seal. (Original contract: \$81,703.92)  
(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: \$86,661.45; funds are budgeted.)

ACTION: Res. 83-500 adopted accepting work as complete. (Clerk to handle)

CONSENT

9. Consider resolution declaring urgent necessity for waiving formal bid procedures and authorizing City Manager to execute contract with contractor for removal, repair and replacement of Water Well Pump No. 29.  
(Water well Pump No. 29 supports the water pressure in a satellite water system south of the Tuolumne River. An emergency situation occurred requiring immediate pump repair to maintain water pressure for the protection against fire for this area of the City. Memo with agenda. Resolution declaring urgent necessity for waiving formal bid procedures and approving agreement needed. (Five affirmative votes needed.) Estimated cost: \$5,708.99; funds are budgeted.)

ACTION: Res. 83-501 adopted approving agreement. (Eng. to handle)

CONSENT

10. Consider waiving formal bid procedures and authorizing the purchase of an exhibit system from Vincent Ciulla Design for the amount of \$5,848 (City portion).  
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 83-502 adopted waiving formal bid procedures. (P.R. to handle)

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

Stanley Peterson expressed concern about hazards of tall trees on private property. By order of the Chair, staff was directed to look into the matter and report back to Council. (Manager to handle)

NEW BUSINESS

CONSENT

12. Request of Stanislaus County Director of Environmental Resources for submission of a nominee to represent the City on the County Citizens' Solid Waste Advisory Committee to be appointed by the Board of Supervisors.  
(Memorandum with agenda. Motion selecting Councilmember Lang as the City's nominee and Deputy City Manager, Ross Campbell, as his alternate needed.)

ACTION: By motion, Councilmember Lang designated as City representative and Deputy City Manager Ross Campbell designated as alternate. (Mgr. to handle)

CONSENT

13. Consider approving agreement with Kingsbury Park Estates for the purchase of approximately 3.605± acres of their land needed for Dry Creek Park.  
(Kingsbury Park Homeowners' Association has agreed to sell us the required land for the appraised value of \$6,000 per acre, based on a survey. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$24,630 (Est. purchase price \$21,630; est. escrow \$3,000); funds are budgeted.)

ACTION: Res. 83-503 adopted approving agreement. (Utility Serv. to handle)

CONSENT

14. Consider acceptance of grant for \$19,951 under the small Business Administration and approval of an agreement with California Conservation Corps.  
(The City of Modesto has been notified that its grant application for the cleanup and replanting of trees along the Dry Creek waterways has been approved. Memo with agenda. Resolution accepting grant needed, and resolution approving agreement needed.)

ACTION: Res. 83-504 adopted accepting grant.  
Res. 83-505 adopted approving agreement. (P.R. to handle)

CONSENT

15. Consider approval of two agreements between the City and Donald Grover, AIA, and Associates, for the preparation of the plans and specifications for a portion of the basement of the McHenry Mansion Restoration project.  
(These agreements would provide for the preparation of the plans and specifications for a portion of the basement at McHenry Mansion. Project includes restrooms, lift pump, elevator shaft excavation, partial new basement floor, reinforcing basement walls, storage and utility room. Memo with agenda. Resolution approving agreement with Donald Grover, AIA, for furnishing architectural services for the City needed; resolution approving Supplemental Agreement No. 1 needed; and resolution approving appropriation transfer of \$5,150 needed. Estimated cost: \$5,150)

ACTION: Res. 83-506 adopted approving agreement with Donald Grover.  
Res. 83-507 adopted approving Supplemental Agreement No. 1 with Donald Grover.  
Res. 83-508 adopted approving appropriation transfer. (P.R./Finance to handle)

CONSENT

16. Consider approving agreement with Leo and Bice Menuz for the acquisition of 0.03± acre of their property needed for the Scenic-County Hospital to Sunnyside project. (The Menuz's have agreed to sell the required right of way for the appraised value of \$21,700. This payment includes money to relocate improvements out of the right of way. Resolution approving agreement needed. Estimated total cost: \$23,700 (Est. purchase price \$21,700; est. escrow \$2,000); funds are budgeted.)

ACTION: Res. 83-509 adopted approving agreement. (Utility Serv. to handle)

CONSENT

17. Consider renewal of insurance covering the property within the McHenry Museum, McHenry Mansion, McClure House and City Hall. (Scheduled Articles Floater insurance policy) (Memo with agenda. Resolution approving renewal of Scheduled Articles Floater policy needed. Estimated cost: \$1,413; funds are budgeted.)

ACTION: Res. 83-510 adopted approving renewal of Scheduled Articles Floater policy. (Mgmt. Services to handle)

MISCELLANEOUS

CONSENT

18. Legislation: Staff recommends supporting the following:

- a. H.R. 1036 (Hawkins) Community Renewal Employment Act
- b. S. 1578 (Thurmond) Federal Antitrust Laws and Local Governments

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

ACTION: By motion, staff recommendations 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.)


ACTION: By motion (Patterson/Whiteside, unan.) the suggestion to rename Del Webb Field in honor of John Thurman was referred to the Culture Commission for a recommendation. (P.R. to handle)

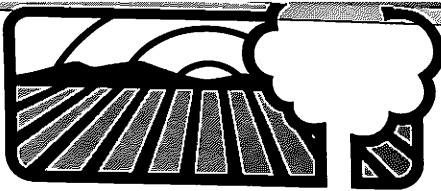
Bill Nichols reported that, based on responses from cities, the Board of Supervisors asked the County Planning Commission to amend the General Plan and change the Urban Transition Policy to preclude creation of parcels of less than 10 acres through the Parcel Map process.

ADJOURNMENT

The meeting adjourned at 5:25 p.m. to closed session to consider pending litigation.

ATTEST:

  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 9, 1983, 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. C. Lee Heim, Jr., Trinity United Presbyterian

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 6, 7, 8, 9, 10, 13, 14, 15, 16,  
17, 18, 19, 21, 22, 23

ACTION: (Bright/Whiteside, unan.)

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

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Presentation of check to City by Betty Belle Smith, Modesto Banking Company, for Al Schoenfeld Memorial Junior Tennis Tournament.

Bette Belle Smith, representing Modesto Banking Company, presented \$300 for the tennis tournament.

### MINUTES

#### CONSENT

2. Approval of the minutes of the August 2, 1983, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

## UNFINISHED BUSINESS

### CONSENT

3. Final adoption of Ordinance No. 2207-C.S., rezoning from C-1 to C-2 property located on the northeast corner of College and Needham Avenues. (Glen Wild/Wild Signs).  
(Motion adopting ordinance needed.)

ACTION: By motion, Ordinance No. 2207-C.S. approved. (Clerk to handle)

## HEARINGS

4. Hearing to consider the part-time closure of the alley in Block 68 bounded by 10th, 11th, I and J Streets, to vehicular traffic.

ACTION: Res. 83-511 adopted (Sutton/Lang, majority, Patterson-no) approving part-time closure with the Council to review the project in one year and adjust conditions if necessary. (Planning to handle)

5. Appeal of Gordon M. Hart, on behalf of Rogers Development Corporation, to a Board of Zoning Adjustment decision regarding an application for a variance from the off-street parking regulations for property located on 10th Street between I and J Streets.

ACTION: Res. 83-512 adopted (Whiteside/Bright, unan.) denying appeal. (Clerk to handle)

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids for the installation of playground apparatus in East La Loma Neighborhood Park (Roberti-Z'berg Grant Project #BG50-501)  
(Suggested bid opening: August 30, 1983 at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$36,750 (Contr. \$35,000; Eng. \$1,750). Funds are budgeted.)

ACTION: Res. 83-513 adopted calling for bids.

(Eng. to handle)

CONSENT

7. Consider award of contract for the reconstruction of Pump Station No. 28.  
(Bids were opened on August 2, 1983. The low bid of \$20,318 submitted by Central Pump, is 41% 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 Central Pump needed. Funds are budgeted.)

ACTION: Res. 83-514 adopted awarding contract.

(Eng. to handle)

CONSENT

8. Consider acceptance of Joe Martin Pipeline, Inc.'s contract for the construction of waterline extension on Lone Palm. Original Contract \$35,257  
(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: \$35,506.10. Funds are budgeted.)

ACTION: Res. 83-515 adopted accepting work as complete.

(Clerk to handle)

CONSENT

9. Consider approving specifications and authorize call for bids to be opened September 6, 1983, at 2:00 p.m., for furnishing mistletoe removal services.  
(Memorandum with agenda. Resolution approving specifications and authorizing call for bids needed. Estimated Cost to be determined upon award of bid.)

ACTION: Res. 83-516 adopted calling for bids.

(Finance to handle)

CONSENT

10. Consider authorizing the City Manager to sign agreement with Sunshine Janitorial Services for janitorial services at American Legion Hall.  
(Memorandum with agenda. Resolution approving agreement needed. Estimated Cost: \$4,400. Funds are budgeted.)

ACTION: Res. 83-517 adopted approving agreement.

(Finance to handle)

WRITTEN COMMUNICATIONS

11. Request by Mid-Valley Engineering to pay the balance of the water main connection charges for Lamatis Industrial Park over a five year period. (Memo with agenda.)

ACTION: By motion (Lang/Muratore, unan.) staff directed to prepare an agreement for Council approval based on Finance Director's recommendation except that payment is to be phased over 4 years rather than 3 years. (Finance to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

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

ACTION: Res. 83-518 adopted (Lang/Whiteside, unan.) approving request by Communications Workers of America for an encroachment permit at 3705 Oakdale Road to erect a temporary awning. (Eng. to handle)

NEW BUSINESS

CONSENT

13. Consider approval of the final map of Racquet Club Townhouses Subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdivider: Fred A. Earle, III  
(The subdivision agreement has been signed and all fees paid. The Racquet Club Townhouses are located between Norwegian Avenue and Briggsmore Avenue, east of McHenry Avenue. It contains 4.886 acres, more or less. Resolution approving final map needed.)

ACTION: Res. 83-519 adopted approving final map. (Clerk to handle)

CONSENT

14. Consider authorizing City Manager to sign agreement with Guarantee Savings for water main installation in Oakwood Estates No. 2 and No. 3. (Improvement plans for Oakwood Estates No. 2 and 3 require installation of a 10-inch and a 12-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: \$65,982.90. Funds are budgeted.)

ACTION: Res. 83-520 adopted approving agreement. (Eng. to handle)

CONSENT

15. Consider authorizing City Manager to sign agreement with Guarantee Savings, for storm drain installation in Oakwood Estates No. 2 and No. 3. (Improvement plans for Oakwood Estates No. 2 and 3 require 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. Estimated Cost: \$57,130. Funds are budgeted.)

ACTION: Res. 83-521 adopted approving agreement. (Eng. to handle)

CONSENT

16. Consider approving lease agreement with Robert Neugebauer.  
(This is a one-year lease of 10.5+ acres of land acquired for Orchard  
Neighborhood Park. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 83-522 adopted approving agreement. (Utility Serv. to handle)

CONSENT

17. Recommendation to select Vertical Management Systems to provide processing and collection services for parking citations issued by the City of Modesto.  
(Memo with agenda. Resolution approving agreement needed, and resolution amending the 1983-84 Budget needed. Estimated Cost: \$35,000)

ACTION: Res. 83-523 adopted approving agreement.  
Res. 83-524 adopted amending the 1983-84 Budget. (Finance to handle)

CONSENT

18. Consider resolutions making the alley adjacent to the south side of Downey High School one way eastbound from Coffee Road to Brighton Avenue.  
(Memo with agenda. Adjoining property owners unanimously support one-way status for alley as a strategy for discouraging excessive traffic. Two resolutions needed. Estimated Cost: \$160. Funds are budgeted.)

ACTION: Res. 83-525 adopted establishing one-way streets and alleys and rescinding Res. 83-292.

Res. 83-526 adopted establishing angle parking and rescinding Res. 83-292.

CONSENT

19. Recommend to Council amendments to Sections 10-2.3502, 10-2.3509, and 10-2.3510 of the Zoning Ordinance pertaining to Sign Regulations.  
(On July 18, 1983, the Planning Commission adopted Resolution 83-109 recommending to the City Council an amendment to Section 10-2.3509 of the Zoning Ordinance pertaining to signs for nonconforming uses. On August 1, 1983, the Planning Commission adopted Resolution 83-121 recommending to the City Council amendments to Sections 10-2.3502, 10-2.3509, and 10-2.3510 of the Zoning Ordinance pertaining to four clarifications of the sign regulations. Resolution setting hearing at 4:00 p.m., September 6, 1983, needed.)

ACTION: Res. 83-527 adopted setting hearing. (Clerk to handle)

CONSENT

- 21 City Manager's Annual Report of Activities of All City Departments for Fiscal Year 1982-83.  
(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, report accepted.

CONSENT

- 22 Consider approval of an amendment to the annual claim for Local Transportation Funds, Non-Motorized Funds, for FY 1983-84.  
(Memo with agenda. Resolution approving amendment to 1983-84 claim needed.)

ACTION: Res. 83-528 adopted approving amendment to 1983-84 claim. (Finance to handle)

CONSENT

23. Consider request for refund of overpayment of mill tax - \$898.49.  
(Memo with agenda. Resolution approving refund of overpayment of mill tax to American Home Video Corporation, dba Videoconcepts, needed.)

ACTION: Res. 83-529 adopted approving refund. (Finance to handle)

MISCELLANEOUS

24. Appointments

ACTION: Res. 83-530 adopted (Sutton/Lang, majority, Muratore, Whiteside-no) appointing Robert Wirth and Bill Vieira to the DID Advisory Board, terms to expire 3/28/87.

MATTERS TOO LATE FOR THE AGENDA

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

None

ADJOURNMENT

10:50 p.m.

The meeting adjourned at / to 8:00 a.m. Thursday, August 11, 1983, at the Sundial, 806 McHenry Avenue, Modesto, for a meeting with Assemblyman Gary Condit, and then to 8:00 a.m. Tuesday, August 16, 1983, at the Holiday Inn, 1612 Dale Road, for a meeting with Congressman Tony Coelho.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

\*\*\*\*\*

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for August 9, 1983, will not be held because there is no business to transact.

Adjourned Regular Meeting  
Modesto City Council  
August 11, 1983

The Council of the City of Modesto met pursuant to adjournment at 8:00 p.m., at the Sundial Restaurant, 806 McHenry Avenue, Modesto, California.

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

Absent: Councilmember Bright

The Councilmembers met with Assemblyman Gary Condit. There was an in depth discussion of the State budget and its affect on the City of Modesto.

The meeting adjourned at 9:05 a.m.

ATTEST:

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

Adjourned Regular Meeting  
Modesto City Council  
August 16, 1983

The Council of the City of Modesto met pursuant to adjournment at 8:00 a.m., in the Sierra Nevada Room at the Holiday Inn, 1612 Sisk Road, Modesto, California.

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

Absent: None

The Councilmembers met with Congressmen Tony Coelho and Norman Mineta to discuss the following topics of interest to the City of Modesto:

- General Revenue Sharing
- Community Development Block Grants
- Economic Development
  1. Economic Development Administration
  2. Tax Exempt Bonds
- Transportation
  1. Essential Air Service
  2. Bus Transportation
  3. Transportation Center
  4. Bus Maintenance Facility
  5. Gas Tax
- New Federalism

The meeting adjourned at 9:15 a.m.

ATTEST:   
*Norrine Coyle*  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 16, 1983, 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. Larry Duncan, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15,  
Removed from Consent: 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

None

### MINUTES

#### CONSENT

2. Approval of the minutes of the August 9, 1983, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion minutes approved.

(Clerk to handle)

HEARINGS

3. Hearing to consider amendment to Section 14-3-9 of the Zoning Map to rezone from P-D(329) to R-1, property located on the north side of Merle Avenue, east of Oakdale Road. (Allen Grant)

ACTION: By motion (Lang/Whiteside, unan.) Ord. No. 2208-C.S. introduced.

Res. 83-531 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

BIDS

CONSENT

4. Consider approval of plans and specifications and call for bids for the Corporation Yard expansion for vehicle parking in Block 437.  
(Suggested bid opening: August 30, 1983, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$49,278 (\$44,395 contract; \$4,883 engineering); funds are budgeted.)

ACTION: Res. 83-532 adopted calling for bids.

(Eng. to handle)

CONSENT

5. Consider approval of plans and specifications and call for bids for residential alley paving program - Project No. 10.  
(Suggested bid opening: August 30, 1983, at 11:10 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$105,085.50 (\$94,168.50 contract; \$10,917 engineering & contingencies); funds are budgeted.)

ACTION: Res. 83-533 adopted calling for bids.

(Eng. to handle)

CONSENT

6. Consider award of contract for the construction of temporary bus parking expansion.  
(Bids were opened on July 26, 1983. The low bid of \$64,900, submitted by the Flintkote Company is 19% below the engineer's estimate and considered acceptable. It is therefore recommended that the contract be awarded to The Flintkote Company. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 83-534 adopted awarding contract.

(Eng. to handle)

CONSENT

7. Consider waiving formal bid procedures and authorize the purchase of Christmas decorations from Valley Decorating Company for the total price of \$8,853. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase of Christmas decorations. Five affirmative votes needed. Funds are budgeted.)

ACTION: Res. 83-535 adopted waiving formal bid procedures.

(Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

8. Request by Modesto Chamber of Commerce that the sign ordinance compliance deadline be reconsidered. (Motion acknowledging receipt needed.)

ACTION: By motion, receipt of letter acknowledged.

CONSENT

9. Invitation from the Downtown Improvement District to attend Modesto's 113th birthday celebration on August 19, 1983, and request for permission to close some parking spaces in the Courthouse block, and that on-street parking time limits be suspended. (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

CONSENT

12. Consider adoption of a resolution to provide direct City assistance to the Modesto Bee/Omega Nu One-Mile Run to benefit the "Save Our Sports Foundation." The event is scheduled for Sunday, October 30, 1983. (Memo with agenda. Motion to provide direct City assistance to Modesto Bee/Omega Nu One-Mile Run benefit needed.)

ACTION: By motion, request approved.

(Police to handle)

CONSENT

13. Consider approval of the final map of Downtown Plaza 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: John A. and Mary Ann Sanders, Cornelius de Graff, James J. and Nancy J. Lommel, Kenneth O. and Dorothy M. Diehl.  
(The subdivision agreement has been signed and all fees paid. Downtown Plaza is located on the northeast side of 12th Street and the northwest side of "D" Street. It contains 0.965 acres. Resolution approving final map needed.)

ACTION: Res. 83-536 adopted approving final map. (Clerk to handle)

CONSENT

14. Consider approval of the final map of the Corson Estates Subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdivider is Ron Smith.  
(The subdivision agreement has been signed and all fees paid. Corson Estates Subdivision is located on the northwest corner of Corson and Melrose. It contains 1.54 acres. Resolution approving final map needed.)

ACTION: Res. 83-537 adopted approving final map. (Clerk to handle)

CONSENT

15. Consider approving agreement with the Bank of America for the acquisition of their share of a bicycle easement.  
(The Bank of America has agreed to sell the required right of way for the appraised value of \$20.00. Memo with agenda. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 83-538 adopted approving agreement. (Utility Serv. to handle)

16. Authorize the City Manager to execute an agreement with P.G. & E. for standby gas service facilities.  
(A standby gas service will be installed to supplement our methane gas supply for refueling vehicles on an as needed basis. P. G. & E. requires entering into an agreement for these facilities. Memo with agenda. Resolution approving agreement needed. Estimated Cost: \$3,150.00 plus \$50.40/month. Funds are budgeted.)

ACTION: Res. 83-539 adopted (Patterson/Whiteside, unan.) approving agreement.  
(Utility Serv. to handle)

CONSENT

17. Consider approving lease agreement with Nathan J. and Eunice M. Province, dba Pacific Aircraft Services, for the lease of Hangar No. 3 at the Airport.  
(This is a one year renewal of an existing lease. The rates paid are based on Council approval and were just recently re-adopted. All other terms remain the same. Resolution approving agreement needed.)

ACTION: Res. 83-540 adopted approving agreement. (Utility Serv. to handle)

CONSENT

- 18. Consider abandonment of a portion of the 12-foot bike path and public utility easement in Blocks 13148 and 13149, Resubdivision of The Vineyard No. 1 Subdivision, City of Modesto.  
(The subdivider wishes to have the City summarily vacate the 12-foot bike path and public utility easement along the east side of his subdivision. The bike path alignment has been changed and the only portion of the public utility easement that was used is being retained as a public utility easement. Resolution vacating and abandoning a portion of the 12-foot bike path and public utility easement in Blocks 13148 and 13149, Resubdivision of The Vineyard No. 1 needed.)

ACTION: Res. 83-541 adopted vacating and abandoning. (Eng. to handle)

CONSENT

- 19. Consider authorizing a public auction to sell surplus, lost, and stolen properties; and the closure of the 200 block of Chestnut Street to traffic on September 24, 1983.  
(Memorandum with agenda. Resolution authorizing a public auction on September 24, 1983 needed; and Resolution authorizing the closure of the 200 block of Chestnut Street to traffic on September 24, 1983 needed.)

ACTION: Res. 83-542 adopted authorizing a public auction.  
Res. 83-543 adopted authorizing the closure of the 200 block of Chestnut Street. (Finance to handle)

MISCELLANEOUS

CONSENT

- 20. Legislation: Staff recommends supporting AB 2099 (Farr) Parklands Bond Act of 1984. (Memo and attachments with agenda. A motion accepting the staff recommendation needed.)

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

- 21. Appointments

None

- 22. MATTERS TOO LATE FOR THE AGENDA

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

None

- 23. CLOSED SESSION

(Closed session to consider property acquisition and pending litigation.)

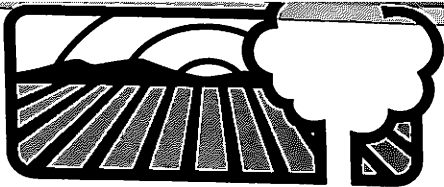
ADJOURNMENT

The meeting adjourned to closed session at 4:20 p.m.

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

\*\*\*\*\*

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for August 16, 1983, will not be held because there is no business to transact.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 23, 1983, 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. Mike Morris, Big Valley Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 6, 7, 8, 9, 12, 14, 15, 16, 17,  
Removed from consent: 13 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.)

### ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation to Ray Ewing, former Planning Commission member.

Resolution of appreciation presented to Ray Ewing by Mayor Mensinger.

### MINUTES

#### CONSENT

2. Approval of the minutes of the adjourned regular meetings of August 11, 1983 and August 16, 1983, and the August 16, 1983, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

### UNFINISHED BUSINESS

3. Report on proposed anti-discrimination language for City rental and reservation agreements.  
(Memorandum with agenda. Motion directing staff to implement recommended action needed.)

ACTION: By motion (Lang/Sutton, unan.) staff directed to implement the recommended action.  
(Atty. to handle)

### CONSENT

4. Final adoption of Ord. No. 2208-C.S. rezoning from P-D(329) to R-1, property located on the north side of Merle Avenue, east of Oakdale Road. (Allen Grant)  
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2208-C.S. adopted. (Clerk to handle)

### HEARINGS

5. Hearing on orders to construct residential alley improvements at the following locations:
- a. Block 812 - College - Mills/Yale - Harvard
  - b. Block 820 - College - Mills/Stanford - Princeton  
(excepting the south half of north-south leg)
  - c. Block 1260 - Morene Way - Paulette/Briggsmore - Coolidge
  - d. Block 1307 - Vista - Devonshire/Dorchester - Strathmore
  - e. Block 3088 - Elsie - Rouse/Sutter - Placid
  - f. Block 6018 - Del Vale - Kearney/Cherrywood - Roseburg
  - g. Block 6058 - W. Orangeburg - Marian/Alma - Magnolia  
(north-south leg)
  - h. Block 6109 - Glenwood - Pearl/Del Vale - Carver  
(east-west leg)

Mayor Mensinger excused due to a conflict of interest.

ACTION: Res. 83-544 adopted (Muratore/Lang, majority, Whiteside-no, Mayor Mensinger absent)  
(Eng. to handle)

## BIDS

### CONSENT

6. Consider approval of plans and specifications and call for bids for Orchard Area drainage basin.  
(Suggested bid opening: September 20, 1983, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$126,500 (Contract \$115,000; engineering \$11,500); funds are budgeted.)

ACTION: Res. 83-545 adopted calling for bids. (Eng. to handle)

### CONSENT

7. Consider approval of plans and specifications and call for bids for the replacement of 24-inch force main east of Scenic Drive lift station.  
(Suggested bid opening: September 20, 1983, at 11:05 a.m. This project is required due to the fact that the existing reinforced plastic mortar pipe east of the Scenic Drive lift station has failed, necessitating replacement with reinforced concrete pipe. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$30,000 (Contract \$27,450; engineering \$2,550); funds are budgeted.)

ACTION: Res. 83-546 adopted calling for bids. (Eng. to handle)

### CONSENT

8. Consider award of contract for the construction of waterline extension in Block 101.  
(Bids were opened on August 16, 1983. The low bid of \$14,998.62, submitted by Joe Martin Pipeline, Inc., is 18% above the engineer's estimate and considered acceptable. It is therefore recommended by the Engineering Department that the contract be awarded to him. Resolution awarding contract to Joe Martin Pipeline, Inc. needed. Funds are budgeted.)

ACTION: Res. 83-547 adopted awarding contract. (Eng. to handle)

### CONSENT

9. Consider rejecting the sole bid submitted by Ken's Crane and authorize new call for bids to be opened September 13, 1983, at 3:00 p.m. for furnishing dredging services.  
(Memorandum with agenda. Resolution rejecting sole bid received from Ken's Crane and authorizing a new call for bids needed. Estimated cost: \$7,200; funds are budgeted.)

ACTION: Res. 83-548 adopted rejecting bid and authorizing new call for bids. (Finance to handle)

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

Joe Byrne asked that a room be included in the Community Center to be used as a community gymnasium.

NEW BUSINESS

11. Consider establishing a policy concerning extension of water service into the Urban Reserve area.  
(Recent action by the Board of Supervisors raises the possibility of requests for water service to churches and schools in the Urban Reserve area. This action would establish a City policy with regard to such requests. Memo with agenda. Resolution establishing policy needed.)

ACTION: By motion (Lang/Muratore, majority, Mayor Mensinger-no) this matter referred back to staff to hold for one year. (Planning to handle)

CONSENT

12. Consider approving agreement with Ben J. and Rozelle S. Holgate for the acquisition of a 0.020± acre temporary easement needed for the parallel outfall line project. (The Holgates have agreed to sell the required easement for the appraised value of \$225. Memo with agenda. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 83-549 adopted approving agreement. (Utility Serv. to handle)

13. Consider approval of the lease agreement with Muir Trail Girl Scout Council for rental of Rooms 102, 200, 201, 203 and 205 at the Modesto Community Service Center. (This new agreement would increase the rent to the Muir Trail Girl Scout Council from \$220 to \$555 per month. Memo with agenda. Resolution approving lease agreement needed.)

Councilmember Whiteside excused due to a conflict of interest.

ACTION: Res. 83-550 adopted (Patterson/Sutton, unan., Whiteside absent) approving lease agreement. (P.R. to handle)

CONSENT

14. Consider approving agreement with Caltrans to install left-turn signals on McHenry Avenue at Floyd.  
(Memo with agenda. Caltrans will modify the signals by contract at a total cost of about \$30,240. City share is limited to a maximum of \$11,130. Resolution approving agreement needed. Estimated cost: \$12,000; funds are budgeted.)

ACTION: Res. 83-551 adopted approving agreement. (P.T. to handle)

CONSENT

15. Consider reducing radar-enforceable speed limit on Standiford Avenue and Sylvan Avenue. (Memo with agenda. Reductions of the present speed limits on Standiford and Sylvan are proposed. The accident history warrants the proposed changes. Introduction of ordinance amending Municipal Code Section 3-2.1401.1 needed. Estimated cost: \$700; funds are budgeted.)

ACTION: By motion, Ord. No. 2209-C.S. introduced. (Clerk to handle)

CONSENT

16. Consider opposition to proposed funding of highway interchanges and overpasses. (Memo with agenda. The California Transportation Commission will be considering a proposal to make the funding of such highway features more of a local responsibility. Motion expressing the Council's opposition to the proposal needed.)

ACTION: By motion, Council expressed opposition to the proposed funding plan. (P.T. to handle)

CONSENT

17. Consider amending the Position Classification Plan to modify the minimum employment standards for Administrative Analyst, Management Assistant, and Fire Battalion Chief. (Memo with agenda. No change in salary. Resolution amending Position Classification Plan needed.)

ACTION: Res. 83-552 adopted amending Position Classification Plan. (Management Serv. to handle)

CONSENT

18. Consider formation of Sewer Improvement District No. 25. (The Improvement District will provide sewer service to six areas annexed to the City over the past two years. Memo with agenda. Motion authorizing City Attorney to arrange for Bond Counsel needed, and motion authorizing preparation of boundary maps and other documents needed.)

ACTION: By motion, City Attorney authorized to arrange for Bond Counsel to authorize preparation of necessary maps and documents. (Atty. to handle)

CONSENT

19. Consider vacation of public utility easement at 2101 Manitoba Court to allow for the construction of a swimming pool. (The construction encroaches approximately 5 feet into the public utility easement. All other utility agencies have abandoned the easement. Memo with agenda. Resolution vacating public utility easement and waiving abandonment fee needed.)

ACTION: Res. 83-553 adopted vacating public utility easement and waiving abandonment fee. (Eng. to handle)

MISCELLANEOUS

CONSENT

20. Legislation: Staff recommends supporting SB 1120 (Keene) - Limited Immunity for Firefighters Staging Rescue Attempts. (Memo and attachments with agenda. Motion accepting staff recommendation needed.)

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

21. Appointments

None

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

ACTION: Res. 83-554 adopted (Lang/Whiteside, unan.) authorizing emergency work on the outfall line by Conco West, Inc. (Utility Serv. to handle)

23. CLOSED SESSION  
(Closed session to consider pending litigation.)

ADJOURNMENT

The meeting adjourned to closed session at 8:53 p.m.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

\*\*\*\*\*

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for August 23, 1983, will not be held because there is no business to transact.

Adjourned Special Meeting  
Modesto City Council  
August 30, 1983

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

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

Absent: Councilmember Bright

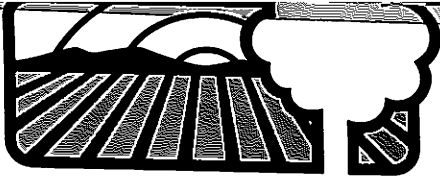
The Councilmembers met with Senator Dan McCorquodale to discuss various pieces of legislation of interest to the City of Modesto.

The meeting adjourned at 8:05 a.m.

ATTEST:

  
NORRINE COYLE, City Clerk

8/30/83



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 6, 1983, 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. Don Nelson, Centenary Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED:	Items 2, 3, 6, 8, 9, 10, 11, 12, 13, 14,
Removed from Consent: 7, 30	16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27,
	28, 29, 31

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 August 23, 1983, regular City Council meeting and the adjourned special meeting of August 30, 1983.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

## UNFINISHED BUSINESS

### CONSENT

3. Final adoption of Ord. No. 2209-C.S. reducing radar-enforceable speed limit on Standiford Avenue and Sylvan Avenue.  
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2209-C.S. approved.

(Clerk to handle)

## HEARINGS

4. Hearing to consider amendments to Sections 10-2.3502, 10-2.3509, and 10-2.3510 of the Zoning Ordinance pertaining to Sign Regulations.

ACTION: By motion (Muratore/Sutton, unan.) Ord. No. 2210-C.S. introduced.

Res. 83-555 adopted (same vote) certifying review of Environmental Assessment.

5. Hearing to consider amendment to Sec. 10-3-9 & Sec.15-3-9 of the Zoning Map to rezone from P-D(308) to P-D(211), and to rezone a portion of P-D(211) to P-D(340) for a neighborhood shopping center, property at the northwest corner of Oakdale Road and Floyd Avenue, respectively. (Naraghi)

ACTION: By motion (Whiteside/Bright, unan.) hearing continued to September 20, 1983,  
at 4:00 p.m.

(Clerk to handle)

## BIDS

### CONSENT

6. Consider award of contract for the corporation yard expansion - vehicle parking, Block 437.  
(Bids were opened on August 30, 1983. The low bid of \$39,989.15, submitted by L. M. Roberts Construction, is 10% below the engineer's estimate and considered acceptable. It is therefore recommended by the Engineering staff that the contract be awarded to them. Bid tabulation with agenda. Resolution awarding contract to L. M. Roberts Construction needed. Funds are budgeted.)

ACTION: Res. 83-556 adopted awarding contract.

(Eng. to handle)

7. Consider award of contract for residential alley paving program - Project No. 10. (Bids were opened on August 30, 1983. The low bid of \$84,788, submitted by The Flintkote Co., is 10% 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 The Flintkote Company needed. Funds are budgeted.)

Mayor Mensinger excused due to a conflict of interest.

ACTION: Res. 83-557 adopted (Lang/Patterson, unan., Mayor Mensinger absent) awarding contract. (Eng. to handle)

CONSENT

8. Consider award of contract for the storm drain extension on Manor Oak Drive between Walnut Tree and Lincoln Oak. (Bids were opened on August 23, 1983. The low bid of \$39,517.52, submitted by Central Ready Mix, is 12% 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 Central Ready Mix needed. Funds are budgeted.)

ACTION: Res. 83-558 adopted awarding contract. (Eng. to handle)

CONSENT

9. Consider acceptance of Stanfield and Moody's contract for the Ustick drainage area and waterline extension. (Original contract: \$77,872) (All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$85,903; funds are budgeted.)

ACTION: Res. 83-559 adopted accepting work as complete. (Clerk to handle)

CONSENT

10. Consider rejecting all bids received August 9, 1983, at 2:00 p.m. for furnishing microcomputers; no further action is requested at this time. (Memorandum to Data Processing Steering Committee Chairman with agenda. Resolution rejecting bids needed.)

ACTION: Res. 83-560 adopted rejecting all bids. (Finance to handle)

CONSENT

11. Consider approving specifications and authorize call for bids to be opened September 27, 1983, at 3:00 p.m. for furnishing one service truck and van. (Requested by the Service Division, the service truck will be used for bus service calls to place stranded buses back into immediate service. The van will be used by Parks crews to service the various Parks facilities, sprinkler systems, etc. The service truck is new pool equipment; whereas, the van is a replacement vehicle. This project was bid May, 1983, but the 1983 production year had been completed and vehicles were unavailable. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$36,500; funds are budgeted.)

ACTION: Res. 83-561 adopted calling for bids. (Finance to handle)

CONSENT

12. Consider sale of structures at 1815 "H" Street (former Acme Cleaners, Lincoln School site) and 1227-1229 Scenic Drive (former McHenry-Dry Creek Fire Station). (These structures are no longer rentable, and in the case of the fire station, it needs to be removed for a street project. Staff recommends trying to sell them rather than tearing them down. Memo with agenda. Resolution approving specifications and call for bids October 4, 1983, at 3:00 p.m. needed.)

ACTION: Res. 83-562 adopted calling for bids.

(Utility Serv. to handle)

WRITTEN COMMUNICATIONS

CONSENT

13. Letter from Margaret Rush resigning from the Culture Commission as one of its "outside the City" representatives due to the annexation of the area in which she lives.  
(Resolution accepting resignation with regret needed.)

ACTION: Res. 83-563 adopted accepting resignation with regret.

(Clerk to handle)

CONSENT

14. Request by Downtown Improvement District to hold a sidewalk sale September 14-17, 1983.  
(Motion approving request needed.)

ACTION: By motion, request approved.

(Planning to handle)

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

Roy Trolinger, Vice President of Mark Twain Parent's Club, expressed concern about California Avenue and urged the City Council to approve widening when the matter comes before it. (Planning to handle)

NEW BUSINESS

CONSENT

16. Consider approval of the final map of the Continental Townhouses subdivision of the City of Modesto, a conversion of an apartment complex to condominiums. No subdivision agreement is required. Subdividers: 1000 Brighton Avenue Investments.  
(All fees have been paid for this condominium conversion. Continental Townhouses subdivision is located at the southeast corner of Brighton Avenue and Wylie Drive. It contains 2.42 acres. Resolution approving final map needed.)

ACTION: Res. 83-564 adopted approving final map.

(Clerk to handle)

CONSENT

17. Consider authorizing City Manager to sign required forms to acquire the house and real estate at 321 Neece Drive (needed for Municipal 9-Hole Golf Course parking lot expansion) from the Department of Housing and Urban Development, and consider amending the 1983-84 budget to provide financing for this purchase. (Purchase to be financed by a transfer to the Sepcial Fund for Capital Outlays (13) from General Fund Reserve (01). H.U.D. has agreed to sell this house to the City for \$64,000. This is below the appraised value of \$79,000. Memo with agenda. Resolution authorizing City Manager to sign required forms needed, and resolution amending 1983-84 budget needed. Estimated total cost: \$67,000; funds to be budgeted.)

ACTION: Res. 83-565 adopted approving acquisition of house and real estate at 321 Neece Drive.  
Res. 83-566 adopted amending 1983-84 budget. (Utility Serv. to handle)

CONSENT

18. Consider approving lease agreement with Jerry Benjamin Hensley for the lease of Robertson Road Park site, a portion of Mark Twain Park site and portions of Tuolumne River Regional Park. (This is a one-year renewal of an existing lease. Mr. Hensley will pay the taxes and maintain these properties, relieving the City of that cost. Resolution approving agreement needed.)

ACTION: Res. 83-567 adopted approving agreement. (Utility Serv. to handle)

CONSENT

19. Consider approving lease agreement with John and Paula Humphrey for the lease of the former Doidge pasture which was acquired for Dry Creek Park. (This is a one-year lease of approximately 3± acres of pasture. The rental is \$100 per month. The Humphreys were the only parties interested in this land which was formerly rented for \$200 per month. High water in Dry Creek and longer periods of rain have made it less attractive. Resolution approving agreement needed.)

ACTION: Res. 83-568 adopted approving agreement. (Utility Serv. to handle)

CONSENT

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

ACTION: Res. 83-569 adopted approving agreement. (Utility Serv. to handle)

CONSENT

21. Consider approving agreement with Curtis E. and Estelle E. Rogers for the acquisition of a 0.192± acre temporary easement needed for the parallel outfall line project. (The Rogers have agreed to sell the required easement for the appraised value of \$300. This is the second of nine required easements. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 83-570 adopted approving agreement. (Utility Serv. to handle)

CONSENT

22. Consider certifying right of way for the Oakdale/Briggsmore to Floyd project. (One of the City's requirements on this Federally subsidized project is to certify as to the status of right of way acquisition. Memo with agenda. Resolution authorizing staff to execute the required right of way certification needed.)

ACTION: Res. 83-571 adopted authorizing staff to execute the required right of way certification. (Utility Serv. to handle)

CONSENT

23. Consider authorizing the City Manager to sign the bid form in the amount of \$11,500 for the purchase of property that is within the boundaries of Tuolumne River Regional Park. (The Tuolumne River Regional Park Committee recommends approval of a bid to purchase the property from the Lemmie McKinsey estate. Memo with agenda. Resolution approving bid needed. Funds are budgeted.)

ACTION: Res. 83-572 adopted approving bid. (P.R. to handle)

CONSENT

24. Consider a Housing Maintenance and Counseling Subcommittee 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. 83-573 adopted approving agreement. (Planning to handle)

CONSENT

25. Consider amendment to grant agreement for ADAP Project No. 6-06-0153-06 from Federal Aviation Administration whereby FAA has agreed to increase the federal share by 6%, from \$392,873 to \$416,660, for a crash fire rescue station at the Modesto City-County Airport. (On July 17, 1978, City Council accepted a grant offer of \$169,194 from the FAA to construct a crash fire rescue station. On January 9, 1979, Council accepted Amendment No. 1 raising the federal share of construction costs to \$392,873. When completed, the project cost had inflated to \$523,330. The FAA has agreed to increase the amount of federal participation in the project. Memo with agenda. Resolution approving amended grant agreement needed. Funds are budgeted.)

ACTION: Res. 83-574 adopted approving amended grant agreement. (Utility Serv. to handle)

CONSENT

26. Consider amendment to agreement with Kennedy/Jenks Engineers for additional engineering services on the City's Water Quality Control Plant Expansion project.  
(As a result of recent negotiations with State and Regional Water Quality Control Board officials on the design of the City's treatment plant project, the State has required the addition of some minor facilities to the project. These additions will require further engineering work estimated to cost \$51,800. Memo with agenda. Resolution approving amendment to agreement needed. Funds are budgeted.)

ACTION: Res. 83-575 adopted approving amendment to agreement. (Utility Serv. to handle)

CONSENT

27. Consider the following:

- a. Withdrawing McHenry-Dry Creek Municipal Reorganization from the McHenry-Dry Creek Fire Protection District and the Empire Fire Protection District.
- b. Setting hearing to annex the McHenry-Dry Creek Municipal Reorganization to the Modesto Municipal sewer District.

(The effective date of the McHenry-Dry Creek Municipal Reorganization is September 1, 1983. Resolution withdrawing from fire districts needed, and resolution setting hearing to annex to sewer district, October 18, 1983, at 4:00 p.m. needed.)

ACTION: Res. 83-576 adopted withdrawing from the McHenry-Dry Creek and Empire Fire Protection Districts.

Res. 83-577 adopted setting hearing to annex to the Modesto Municipal Sewer District.  
(Clerk to handle)

CONSENT

28. Consider approval of grant application for Roberti-Z'berg Urban Open Space Recreation Program funds for security lighting at Sonoma Neighborhood Park.  
(The City of Modesto is eligible for \$6,142 under this block grant for fiscal year 1983-84. These non-matching funds would be used to install security lighting at Sonoma Park. Staff recommends approval. Resolution approving grant application needed. Funds are budgeted.)

ACTION: Res. 83-578 adopted approving grant application. (P.R. to handle)

CONSENT

29. Consider approval of grant applications for Roberti-Z'berg Urban Open Space Recreation Program funds for picnic shelters at Davis and Downey Community Parks.  
(The City of Modesto is eligible for \$91,815 under this block grant for fiscal year 1983-84. These non-matching funds would be used to install picnic shelters at Davis and Downey Parks. Staff recommends approval. Two resolutions approving grant applications needed. Funds are budgeted.)

ACTION: Res. 83-579 adopted approving grant application for Davis Community Park.  
Res. 83-580 adopted approving grant application for Downey Community Park.  
(P.R. to handle)

30. Consider setting public hearing to consider proposed new bus deployment plan and proposed fare increase/service changes on Intracity Transit (IT) and the general public Dial-A-Ride (DAR).  
(Memo with agenda. The deployment of eight of the City's nine new buses is proposed. Additionally, fare increases are needed on IT, and fare increases/service changes are needed on the general public DAR to assure attainment of the State-mandated farebox ratios. Resolution setting public hearing October 11, 1983, at 7:30 p.m. needed.)

ACTION: Res. 83-581 adopted (Whiteside/Muratore, unan.) setting hearing. (Clerk to handle)

MISCELLANEOUS

CONSENT

31. Legislation: Staff recommends supporting ACA 35 (Bader) State-Mandated Local Programs.  
(Memo and attachments with agenda. Motion accepting staff recommendation needed.)

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

32. Appointments

None

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

None

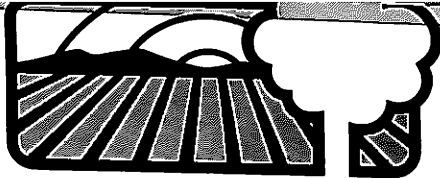
ADJOURNMENT

Meeting adjourned at 4:40 p.m.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

\*\*\*\*\*

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for September 6, 1983, will not be held because there is no business to transact.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 13, 1983, 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. Howard Clarke, Second Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 7, 8, 9, 10, 11, 12, 13,  
Removed from Consent: 21 16, 17, 18, 20

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 September-6, 1983, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

## UNFINISHED BUSINESS

### CONSENT

3. Consider request from Stanislaus County Arts Commission for \$1,000 to help fund a Children's Touch Museum in Modesto.  
(On June 9, 1983, the Council referred this request to the Modesto Culture Commission for recommendation. After review and discussion, the Commission recommends denial at this time. Memo with agenda. Motion denying request needed.)

ACTION: By motion, request denied.

(P.R. to handle)

### CONSENT

4. Final adoption of Ord. No. 2210-C.S. amending Sections 10-2.3502, 10-2.3509 and 10-2.3510 of the Municipal Code relating to sign regulations.  
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2210-C.S. adopted.

(Clerk to handle)

5. Consider renaming of Del Webb Field.  
(On August 2, 1983, Council referred this item to the Modesto Culture Commission for recommendation. After review and discussion, the Commission recommends Del Webb Field be renamed Modesto Baseball Park. Memo with agenda. Motion selecting a name and directing staff to take the necessary steps to implement the name change needed.)

ACTION: By motion (Patterson/Bright, unan.) staff directed to take the necessary steps to rename Del Webb Field to John Thurman Field.

(Atty. to handle)

## HEARINGS

6. Hearing to consider amendment to Sec. 6-4-9 of the Zoning Map to rezone from R-1 to P-D(341), for a 70-unit senior citizen housing complex, property located at the south corner of Paradise Road and Pine Tree. (Greater True Light Baptist Church)

ACTION: By motion, (Lang/Whiteside, unan.) Ord. No. 2211-C.S. introduced.

Res. 83-582 adopted (same vote) approving plan.

Res. 83-583 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 bank repair and slope protection at Kewin Park.  
(Suggested bid opening: October 4, 1983, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$37,000 (\$33,700 contract; \$3,300 engineering); funds are partially budgeted. Appropriation transfer to be requested after bids are opened.)

ACTION: Res. 83-584 adopted calling for bids.

(Eng. to handle)

CONSENT

8. Consider approval of plans and specifications for Briggsmore Avenue street lighting. (Suggested bid opening: October 4, 1983, at 11:00 a.m. Estimated cost: \$49,500 (\$40,000 contract; \$9,500 engineering); funds are budgeted. Resolution approving plans and specifications needed.)

ACTION: Res. 83-585 adopted calling for bids.

(Eng. Serv. to handle)

CONSENT

9. Consider approving specifications and authorize call for bids to be opened October 4, 1983, at 3:20 p.m. for furnishing concession service at Beyer Park. (Requested by the Parks and Recreation Department, the food concession service will operate in the utility building at Beyer Park. The concession is to be open for business throughout the year when activities are scheduled by the Parks and Recreation Department such as league ballgames or any rentals of the park. Resolution approving specifications and authorizing call for bids needed.)

ACTION: Res. 83-586 adopted calling for bids.

(P.R. to handle)

CONSENT

10. Consider approving a "Request for Proposals" for a food and sundries concession at the Airport. (Staff is recommending the vending machines at the Airport be replaced with a staffed food concession. Memo with agenda. Resolution approving "Request for Proposals" and authorizing staff to issue the requests, with the proposals to be submitted on October 4, 1983, at 3:30 p.m. needed.)

ACTION: Res. 83-587 adopted approving a request for proposals. (Utility Serv. to handle)

CONSENT

11. Consider acceptance of The Flintkote Company's contract for asphalt concrete overlay, residential streets, 1983-84. (Original contract: \$159,985.90) (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: \$164,808.17; funds are budgeted.)

ACTION: Res. 83-588 adopted accepting work as complete.

(Clerk to handle)

CONSENT

12. Consider acceptance of L. M. Roberts' contract for the parking lot improvements at American Legion Hall on South Santa Cruz. (Original contract: \$35,928.60) (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: \$37,623.17; funds are budgeted.)

ACTION: Res. 83-589 adopted accepting work as complete.

(Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

13. Request by Downtown Improvement District for permission to hold sidewalk sale September 22 - 24, 1983.  
(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.)

None

NEW BUSINESS

15. Designation of voting delegate and two voting alternates for the annual Congress of Cities, November 26 - 30, 1983, in New Orleans, Louisiana.  
(Motion designating delegate and alternates needed.)

ACTION: By motion (Lang/Patterson, unan.) Mayor Mensinger designated voting delegate and Vice Mayor Bright and Past Vice Mayor Muratore designated alternate voting delegates.  
(Clerk to handle)

CONSENT

16. Consider agreement for automatic fire response by Stanislaus County Fire Safety Department.  
(This will allow the automatic dispatch of a water tanker to the newly annexed Glenwood Mobile Home Park, 2307 Oakdale Road, which is not provided with an adequate water system for fire suppression purposes. There will be no cost incurred. Resolution approving agreement needed.)

ACTION: Res. 83-590 adopted approving agreement.

(Fire to handle)

CONSENT

17. Consider acceptance of improvements in Carpenter Plaza subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Valley Oak Development Co.)  
(Carpenter Plaza subdivision is located at the northeast corner of Carpenter Road and Houser Lane. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 83-591 adopted accepting improvements as complete.

(Clerk to handle)

CONSENT

18. Review and approval of Conflict of Interest Code for Industrial Development Authority Members.  
(The Code refers to the disclosure the Authority Members are required to make as Councilmembers and no additional report requirements are imposed. Copy of the Code with agenda. Motion approving Conflict of Interest Code needed.)

ACTION: By motion, Authority members approved Conflict of Interest Code for Industrial Development. (Clerk to handle)

19. Consider use of SAAG nonmotorized funds and other funds for pedestrian and bicycle improvements on California Avenue.  
(Memo with agenda. The County is seeking City support for use of SAAG nonmotorized funds from both the bicycle allotment and pedestrian allotment improvements to California Avenue from Mellis Park to Carpenter Road. Staff recommends use from the pedestrian allotment only. Motion directing staff and SAAG Policy Board representatives needed.)

ACTION: By motion (Lang/Whiteside, unan.) staff directed to work as diligently as possible toward putting sidewalks on the north side of California Avenue, keeping in mind the equity factor as far as property owners who have already deeded right of way are concerned. (Eng. Services to handle)

A motion to support the County's proposal died for lack of a second.

By motion (Whiteside/Muratore, unan.) S.A.A.G. representatives directed not to support a request to fund this project at this time, and Council agreed that they will look into other possibilities for funding this project. (Mgr. to handle)

CONSENT

20. Consider joining in amicus curiae briefs in the following four cases:

Kershaw v. City of Berkeley;  
American Bank & Trust Co. v. Community Hospital of Los Gatos-Saratoga;  
Nash v. City of Santa Monica; and  
County of Contra Costa, et al. v. State of California.  
(Memorandum with agenda. Motion authorizing in four amicus curiae briefs.)

ACTION: By motion, joining in amicus curiae briefs approved. (Atty. to handle)

21. Consider setting Hearing of Necessity to acquire right of way needed for the Scenic/City Limits to Sunnyside project. The property is owned by John S. Sperry, Jr. and Sonja L. Sperry.  
(Staff has made an offer to acquire the needed right of way but the owners have declined. Further negotiations may be successful, but the right of way is needed as soon as possible for utility work, so condemnation is necessary to get possession of the right of way. The other five parcels required for this project have already been acquired. Resolution setting hearing on October 6, 1983, at 4:00 p.m. needed.)

ACTION: Res. 83-592 adopted (Patterson/Sutton, unan.) setting hearing. (Clerk to handle)

MISCELLANEOUS

22. Appointments

None

23.

MATTERS TOO LATE FOR THE AGENDA

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

There was a discussion of bicycle safety programs. Staff requested to report on bike safety programs available and to ask the Youth Commission for suggestions on bike safety programs. (Police/P.R. to handle)

ADJOURNMENT

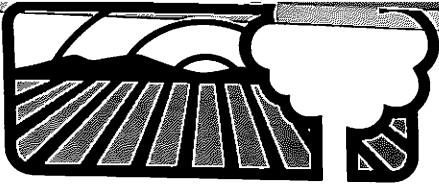
Meeting adjourned at 9:45 p.m.

ATTEST:

*Norrine Coyle*  
NORRINE COYLE, City Clerk

\*\*\*\*\*

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for September 13, 1983, will not be held because there is no business to transact.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 20, 1983, 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. Joe Wright, Calvary Temple

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22

ACTION: (Bright/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 September 13, 1983, regular City Council meeting. (Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

## UNFINISHED BUSINESS

### CONSENT

3. Consider adoption of ordinances regulating firearm ranges in the City of Modesto. (Adoption of ordinance would add Article 11 to Chapter 1 of Title IV of the Modesto Municipal Code relating to firearm ranges and firearms. By separate ordinance, Sec. 4-2.07 should also be amended to eliminate some duplication with some of the new provisions regarding firearms. Memorandum with agenda. Introduction of two ordinances needed.)

ACTION: By motion, Ord. No. 2212-C.S. introduced adding Article 11 to Chapter 1 of Title IV of the Code relating to firearm ranges and firearms.  
By motion, Ord. No. 2213-C.S. introduced amending Sec. 4-2.07 to eliminate some duplication with some of the new provisions regarding firearms. (Clerk to handle)

### CONSENT

4. Final adoption of Ord. No. 2211-C.S. rezoning from R-1 to P-D(341), property located at the south corner of Paradise Road and Pine Tree Lane. (Greater True Light Baptist Church)  
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2211-C.S. adopted. (Clerk to handle)

## HEARINGS

5. Hearing to consider amendment to Sec. 12-3-8 of the Zoning Map to rezone from P-D(293), to R-2, property located at the southwest corner of Prescott Road and Snyder Avenue. (Phillip Overholtzer)

ACTION: By motion (Lang/Muratore, unan.) Ord. No. 2214-C.S. introduced.  
Res. 83-593 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

6. Hearing to consider amendment to Sec. 9-3-9 of the Zoning Map to rezone from R-1 to H-1, property located at the southeast corner of McHenry Avenue and East Union Avenue, 3766 McHenry Avenue. (Charles Pittman)

ACTION: By motion (Whiteside/Patterson, unan.) Ord. No. 2215-C.S. introduced.  
Res. 83-594 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

7. Hearing to consider amendment to Sec. 21-3-9 of the Zoning Map to rezone from P-D(248), to R-1, property located on the north side of East Fairmont Avenue west of Coffee Road. (Planning Commission initiated)

ACTION: By motion (Muratore/Patterson, unan.) Ord. No. 2216-C.S. introduced.

Res. 83-595 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

8. Hearing to consider amendment to Sec. 2-3-8 of the Zoning Map to repeal P-D(245), and rezone to R-1, property located at the southeast corner of Pelandale Avenue and Honey Creek Drive. (Mike Epstein)

ACTION: By motion (Lang/Whiteside, majority, Patterson-no) Ord. No. 2217-C.S. introduced.

Res. 83-596 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

9. Hearing to consider amendment to Sec. 10-3-9 and Sec. 15-3-9 of the Zoning Map to rezone from P-D(308) to P-D(211), and to rezone a portion of P-D(211) to P-D(340) for a neighborhood shopping center, property at the northwest corner of Oakdale Road and Floyd Avenue, respectively. (Naraghi) (Continued from September 6, 1983 meeting.)

ACTION: By motion (Whiteside/Sutton) Ord. No. 2218-C.S. introduced rezoning P-D(308) to P-D(211).

Res. 83-597 adopted approving development plan on rezoning P-D(308) to P-D(211).  
Res. 83-598 adopted certifying review of Environmental Assessment on rezoning of P-D(308) to P-D(211)

By motion (Whiteside/Sutton) Ord. No. 2219-C.S. introduced rezoning portion of P-D(211) to P-D(340).

Res. 83-599 adopted approving development plan on rezoning portion of P-D(211) to P-D(340).

Res. 83-600 adopted certifying review of Environmental Assessment on rezoning of P-D(211) to P-D(340)  
(Clerk/Planning to handle)

BIDS

CONSENT

10. Consider declaring Ken's Crane Service low bidder meeting City specifications and authorize the purchase of dredging services from the firm for the total amount of \$7,600.

(Memorandum with agenda. Resolution authorizing dredging services from Ken's Crane Service needed. Funds are budgeted.)

ACTION: Res. 83-601 adopted awarding bid.

(Finance to handle)

CONSENT

11. Consider accepting and authorizing payment for nine mobile two-way radios for Intracity Transit from General Electric Company.

(Memo with agenda. General Electric Company has satisfactorily completed furnishing and installing the nine radios and the radios are now in use on the City's nine new buses. Resolution accepting and authorizing payment for the radios needed. Estimated cost: \$14,600.88; funds are budgeted.)

ACTION: Res. 83-602 adopted accepting project as complete.

(P.T. to handle)

CONSENT

12. Consider acceptance of Stanfield and Moody's contract for the construction of service road, Modesto City-County Airport, ADAP No. 6-05-0153-09. (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: \$38,041.94; funds are budgeted.)

ACTION: Res. 83-603 adopted accepting work as complete. (Clerk to handle)

CONSENT

13. Consider acceptance of Granite Construction's contract for slurry seal and stripe commercial runway, overlay and stripe utility runway, FAA ADAP No. 3-06-0153-01. (Original contract: \$191,358.67.) (All work on this project has been completed to the satisfaction of the Federal Aviation Administration and the Engineering Services Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$205,791.81; funds are budgeted.)

ACTION: Res. 83-604 adopted accepting work as complete. (Clerk to handle)

CONSENT

14. Consider declaring twenty 1980-81 Dodge Aspens and Diplomats surplus property and authorizing the Purchasing Officer to sell them by public bid. (Memorandum with agenda. Resolution declaring vehicles surplus property and authorizing Purchasing Officer to sell by public bid needed.)

ACTION: Res. 83-605 adopted declaring vehicles surplus property and authorizing Purchasing Officer to sell by public bid. (Finance to handle)

CONSENT

15. Consider waiving formal bid procedures and authorizing the purchase of 2,430 bushels of iron sponge from Connelly-GPM, Inc., not to exceed \$22,000. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 83-606 adopted waiving formal bid procedures and authorizing purchase. (Finance to handle)

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

None

NEW BUSINESS

CONSENT

17. Consider setting a public hearing on an application by Bertolotti Disposal, Inc. for an industrial garbage license.  
(Staff will make a report on the application prior to the hearing. Application with agenda. Resolution setting public hearing Thursday, October 6, 1983, at 4:00 p.m. needed.)

ACTION: Res. 83-607 adopted setting hearing. (Clerk to handle)

CONSENT

18. Consider approval of agreements with Gilton Solid Waste Management, Inc., Modesto Disposal Service, Inc., and Orangeline Sanitation Company for the City to provide billing and collection service for their garbage accounts of residences receiving unmetered water or sewer only service.  
(Memo with agenda. Three resolutions approving agreements with Gilton Solid Waste Management, Inc., Modesto Disposal Service, Inc., and Orangeline Sanitation Company, Inc. needed.)

ACTION: Res. 83-608 adopted approving agreement with Gilton Solid Waste Management, Inc.  
Res. 83-609 adopted approving agreement with Modesto Disposal Service, Inc.  
Res. 83-610 adopted approving agreement with Orangeline Sanitation Company.  
(Finance to handle)

CONSENT

19. Consider approval of letter agreement with law firm of Orrick, Herrington & Sutcliffe to act as bond counsel for Sewer Improvement District No. 25.  
(At the August 23, 1983, Council meeting the Council directed staff to make arrangements for bond counsel for Improvement District No. 25. The bond counsel has submitted their standard letter agreement which the City has entered into in previous improvement districts. Resolution approving agreement needed.)

ACTION: Res. 83-611 adopted approving agreement. (Atty. to handle)

CONSENT

20. Consider request by Phillip Overholtzer, Inc. for refund of overpayment of business license tax - \$604.51.  
(Memo with agenda. Resolution approving refund of overpayment of business license tax needed.)

ACTION: Res. 83-612 adopted approving refund. (Finance to handle)

CONSENT

- 21. Presentation of monthly financial statement for August, 1983.  
(Copies of report will be presented at meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

- 22. Consider amendment to Lamatis Industrial Park subdivision agreement concerning payment of water main connection fees.  
(Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 83-613 adopted approving amendment to agreement. (Finance to handle)

MISCELLANEOUS

- 23. Appointments

None

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

None

ADJOURNMENT

The meeting adjourned at 5:05<sup>p.m.</sup> to Friday, September 23, 1983, at 8:30 a.m. at the Stanislaus Foundation for Medical Care Building at 2339 St. Paul's Way, Modesto.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

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The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for September 20, 1983, will not be held because there is no business to transact.

Adjourned Regular Meeting  
Modesto City Council  
September 23, 1983

The Council of the City of Modesto met pursuant to adjournment at 8:30 a.m., at the Stanislaus Foundation for Medical Care building at 2339 Saint Pauls Way, Modesto, California.

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

Absent: Councilmember Bright

The Finance Director reviewed the City's financial condition. The Council discussed the reports he had distributed titled "Expenditure and Revenue Forecast Through 1986-87" and "Revenue Generation - Possibilities for Consideration (Update)".

The Council also discussed the amounts set for fines for various parking violations and landscaping and lighting fees.

Staff was asked to study possible garden refuse fees, wait until the Laventhol and Horwath report has been submitted before further considering the transient occupancy tax, and provide further information on ways of assessing the amusement tax.

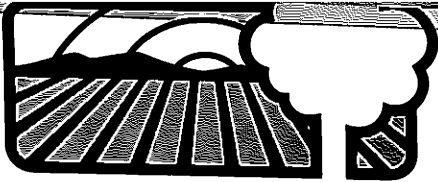
Staff directed to proceed with an agenda item to appropriate funds and remove mistletoe in eleven City areas.

Councilmember Patterson gave a summary of the National League of Cities International Economic Development Task Force meeting he had attended recently concerning foreign companies that are, or are interested in, investing and locating in the United States.

The meeting adjourned at 12:35 p.m.

ATTEST:

  
Norrine Coyle  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 27, 1983, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Lang, Muratore, Patterson, Sutton,  
Whiteside, Mayor Mensinger  
Councilmember Patterson arrived at 7:50 p.m.  
Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Les Malakian, Geneva Presbyterian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 6, 7, 8, 9, 10, 11, 12,  
13, 14, 18, 21, 22

Removed from Consent: 17

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

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

## MINUTES

### CONSENT

2. Approval of the minutes of the September 20, 1983, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

## UNFINISHED BUSINESS

3. Consider final adoption of Ord. No. 2217-C.S. repealing P-D(245) and rezoning to R-1, property located at the southeast corner of Pelandale Avenue and Honeycreek Road. (Michael Epstein)  
(Motion adopting needed.)

ACTION: By motion (Lang/Whiteside, unan., Patterson absent) Ord. No. 2217-C.S. adopted.  
(Clerk to handle)

### CONSENT

4. Consider final adoption of the following:

- a. Ord. No. 2212-C.S. relating to firearm ranges and firearms.
  - b. Ord. No. 2213-C.S. relating to fireworks.
  - c. Ord. No. 2214-C.S. rezoning from P-D(293) to R-2, property located at the southwest corner of Prescott Road and Snyder Avenue. (Overholtzer)
  - d. Ord. No. 2215-C.S. rezoning from R-1 to H-1, property located at the southeast corner of McHenry Avenue and East Union Avenue. (Pittman)
  - e. Ord. No. 2216-C.S. repealing P-D(248) and rezoning to R-1, property located on the north side of East Fairmont Avenue west of Coffee Road. (Planning Commission initiated)
  - f. Ord. No. 2218-C.S. rezoning from P-D(308) to P-D(211), property located on the southwest corner of Oakdale Road and Sylvan Avenue. (U.S. By-Products, Inc.)
  - g. Ord. No. 2219-C.S. rezoning from P-D(211) to P-D(340), property located on the northwest corner of Oakdale Road and Floyd Avenue. (U.S. By-Products, Inc.)
- (Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

## BIDS

### CONSENT

5. Consider approving specifications and authorize call for bids to be opened October 18, 1983, at 3:00 p.m. for furnishing three greens mowers and verticutter attachments. (Requested by the Utility Services Service Division, the greens mowers and attachments will be primarily dispatched to the Parks and Recreation Department for use on the golf courses. The greens mowers will replace three units currently in service and the verticutter will replace one unit currently in service. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$37,641; funds are budgeted.)

ACTION: Res. 83-614 adopted calling for bids.

(Finance to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for curb ramps, Project No. 5.  
(The proposed ramps are at intersections serving high schools and some homes for the elderly. This project segment will accomplish the majority of the goal of providing handicapped access to parks, schools, medical facilities and public buildings. Suggested bid opening: October 18, 1983, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$38,500 (contract \$35,000; engineering \$3,500); funds are budgeted.)

ACTION: Res. 83-615 adopted calling for bids. (Eng. to handle)

CONSENT

7. Consider approval of plans and specifications for City Hall Annex reroofing. (Suggested bid opening: October 11, 1983, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$17,325 (contract \$15,000; engineering \$2,325); funds are budgeted.)

ACTION: Res. 83-616 adopted calling for bids. (Eng. to handle)

CONSENT

8. Consider award of contract for the improvements in the Orchard Area Drainage Basin. (Bids were opened on September 20, 1983. The low bid of \$97,992, submitted by The Flintkote Company is 14% below the engineer's estimate and considered acceptable. Therefore, it is in order to award the contract to them. Memo with agenda. Resolution awarding contract to The Flintkote Company needed. Funds are budgeted.)

ACTION: Res. 83-617 adopted awarding contract. (Eng. to handle)

CONSENT

9. Consider award of contract to replace 24-inch force main east of Scenic Drive lift station.  
(Bids were opened on September 20, 1983. The low bid of \$30,000 submitted by Joe Martin Pipeline is 9% above 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 Joe Martin Pipeline, Inc. needed. Funds are budgeted.)

ACTION: Res. 83-618 adopted awarding contract. (Eng. to handle)

CONSENT

10. Consider accepting Carpenter/Woodland traffic signal contract as complete. (Memo with agenda. The contract was awarded to Collins Electrical Company on March 22, 1983, for \$77,635. No Change Orders were issued. The signals were put into operation on September 8, 1983, and the contract was completed on September 16, 1983. Resolution accepting project as complete needed. Funds are budgeted.)

ACTION: Res. 83-619 adopted accepting project as complete. (P.T. to handle)

CONSENT

11. Consider rejection of bids for the installation of playground apparatus in East La Loma Park.  
(Bids were opened on September 6, 1983. Due to irregularities in the project specifications the Engineering and Parks and Recreation Departments are recommending that the project be rejected and rebid at a later date. Memo with agenda. Resolution rejecting bids needed.)

ACTION: Res. 83-620 adopted rejecting bids.

(Eng. to handle)

CONSENT

12. Consider waiving formal bid procedures and authorizing the purchase of radio equipment from Motorola Communications and Electronics, Inc. for the total price of \$91,996.  
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase needed. Funds are budgeted.) (Five affirmative votes needed.)

ACTION: Res. 83-621 adopted waiving formal bid procedures.

(Finance to handle)

CONSENT

13. 1) Consider waiving formal bid procedures and authorize the purchase of pump repair services from Don Pedro Products, Inc. for the total price of \$5,193.40.  
2) Consider the transfer of \$5,193.40 from the Contingency Reserve Account 61-04 to the Pump Station Repair Account 6917 - Water Services Fund 61.  
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase needed (Five affirmative votes needed); and resolution approving transfer of funds needed.)

ACTION: Res. 83-622 adopted waiving formal bid.

Res. 83-623 adopted approving appropriation transfer.

(Finance to handle)

CONSENT

14. Consider amending by letter agreement the contract for nine transit buses to authorize a partial payment for the buses.  
(Memo with agenda. Gillig Corporation has completed the nine new buses with the exception of the destination signs. We've delayed Gillig from this work pending Council approval of the proposed bus deployment plan on October 11, 1983. It would be appropriate to pay Gillig the original contract price of \$1,234,350, less a \$3,600 retention for the signs. Resolution approving letter agreement needed. Funds are budgeted.)

ACTION: Res. 83-624 adopted approving letter agreement.

(P.T./Finance to handle)

WRITTEN COMMUNICATIONS

15. Letter from Russell Kelly regarding violence and pornography on McHenry Avenue.

ACTION: By order of the Chair, staff was asked to provide information in response to Mr. Kelly's concerns. (Atty /Police to handle)

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

Steve Sturla expressed concerns about Pit Bull dogs. By order of the Chair, staff was directed to respond to the issues raised. (Atty/Police to handle)

NEW BUSINESS

17. Resolution concerning the issuance of revenue bonds to finance the construction of a multifamily rental housing development known as Stonebridge Apartments. (The developers of Stonebridge Apartments have requested the use of revenue bond financing. Memo with agenda. Resolution of Intent to issue up to \$12 million of Multifamily Mortgage Revenue Bonds, designating Orrick, Herrington and Sutcliffe as the City's Bond Counsel, and authorizing the City Manager to sign a development agreement needed.)

ACTION: Res. 83-625 adopted (Patterson/Bright, majority, Lang and Whiteside-no) concerning issuance of revenue bonds and designating Orrick, Herrington and Sutcliffe as City's Bond Counsel. (Planning to handle)

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

CONSENT

18. Consider County referred Open Space Contract No. 75-2004, Stanley Galas, 81.7 acre parcel on the south side of Hatch Road, one-fourth mile east of Carpenter Road. (Memo and map with agenda. Resolution expressing recommendation of opposition needed.)

ACTION: Res. 83-627 adopted expressing recommendation of opposition. (Planning to handle)

19. Consider staff report on essential air service from Modesto City-County Airport to San Francisco.  
(Staff has prepared comments to the Civil Aeronautics Board (CAB) on the six proposals to provide essential air service between Modesto and San Francisco. No staff recommendation has been made concerning support of any of the proposals at this time. After final rate negotiations take place between CAB carriers in late October, a staff recommendation will be forwarded to the Council for consideration. Motion acknowledging receipt of report needed.)  
No action taken.

20. Consider amendment to Stanislaus County Solid Waste Management Plan.  
(Memo with agenda. Resolution approving amendment needed.)

ACTION: Res. 83-628 adopted (Lang/Bright, unan.) approving amendment. (Utility Services to handle)

CONSENT

21. Consider lease agreement with Larry A. and Patricia L. Askew and David and Sandra Mesenhimer for the lease of a portion of Hangar No. 1 for use as a flight school and air taxi service and allowing them to operate as a fixed base operator.

(This is a one-year lease of office space in Hangar No. 1. The lessees will pay the rate as established by the Council. Staff has reviewed their qualifications and recommends approval. Memo with agenda. Resolution approving agreement needed, and resolution permitting them to operate as a fixed base operator needed.)

ACTION: Res. 83-629 adopted approving lease agreement.

Res. 83-630 adopted permitting them to operate as a fixed base operator.  
(Utility Serv. to handle)

CONSENT

22. Presentation of amended Financial Statement elements for the August, 1983, monthly report.

(Amended copies with accompanying memo with agenda. Motion acknowledging receipt of amendment needed.)

ACTION: By motion receipt of amendment acknowledged.

MISCELLANEOUS

23. Appointments

None

24. MATTERS TOO LATE FOR THE AGENDA

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

None

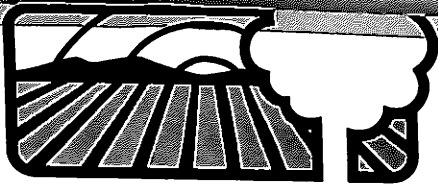
The meeting adjourned at 10:35 p.m. to closed session to consider a personnel relations matter.

ATTEST:

*Norrine Coyle*  
NORRINE COYLE, City Clerk

\*\*\*\*\*

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for September 27, 1983, will not be held because there is no business to transact.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR THE COUNCIL MEETING OF TUESDAY, OCTOBER 4, 1983, AT 4:00 P.M.  
TO BE ADJOURNED TO THURSDAY, OCTOBER 6, 1983, 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. Paul Bautts, La Loma Grace Brethren

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 7, 8, 9, 11, 12, 13, 14, 15

Removed from Consent: 16

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 September 23, 1983, adjourned regular meeting, and the September 27, 1983 regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

3. Hearing of Necessity to acquire right of way needed for Scenic/City limits to Sunnyside project. (John S. Sperry, Jr.)

ACTION: Res. 83-631 adopted (Lang/Sutton, unan.) approving acquisition of property.  
(Eng. Services to handle)

4. Appeal of John R. Doxey & Associates, on behalf of Center State Bank, to a Planning Commission decision regarding a time extension for P-D(275) located on the west side of Coffee Road south of Rumble Road.

ACTION: Res. 83-632 adopted (Muratore/Patterson, unan.) granting appeal and approving one-year time extension.  
(Planning to handle)

5. Hearing to consider an application by Bertolotti Disposal, Inc. for an industrial garbage license.

ACTION: Res. 83-633 adopted (Lang/Sutton, majority, Mayor Mensinger-no) denying application.  
(Utility Services to handle)

#### BIDS

6. Report on receipt of written bids for sale of structures at 1815 H Street (Acme Cleaners/Lincoln School Site) and 1227-1229 Scenic (old McHenry/Dry Creek Fire Station), and oral bidding for the structures as required by the specifications and Notice to Bidders approved by Council at its September 6, 1983 meeting.  
(Memo with results of written bids will be distributed at the meeting.)

No action taken.

#### CONSENT

7. Authorize the purchase of mistletoe removal services in certain areas from HIS Tree Service for the total price of \$76,625; authorize the purchase of mistletoe removal services in certain areas from Weaver's Tree Service for the total price of \$93,810; and authorize the transfer of \$185,000 from the Contingency Reserve Fund 01 to Professional and Contractual Services Fund 01. (Memorandum with agenda. Two resolutions authorizing the purchase of mistletoe removal services needed, and resolution authorizing transfer of funds needed.)

ACTION: Res. 83-634 adopted authorizing purchase of mistletoe removal services from HIS Tree Service.

Res. 83-635 adopted authorizing purchase of mistletoe removal services from Weaver's Tree Service.

Res. 83-636 adopted approving appropriation transfer. (P.R./Finance to handle)

CONSENT

8. Consider acceptance of Red Whale Pools contract for the construction of Muncy Park pool. (Original contract: \$50,500)  
(All work on this project has been completed to the satisfaction of the Engineering and Parks and Recreation Departments. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Funds are budgeted. Final cost: \$49,300)

ACTION: Res. 83-637 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

9. Consider request by the United Nations Association for City assistance.  
(Application with agenda. Motion approving request needed.)

ACTION: By motion, request approved. (P.R./Utility Services to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

CONSENT

11. Consider approving agreement with WestAir Commuter Airlines, Inc. for operating an airline at the Airport.  
(This is a one-year agreement. WestAir will pay the City \$543/month for the use of a portion of the terminal plus landing and tie-down fees determined by usage. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 83-638 adopted approving agreement. (Utility Serv. to handle)

CONSENT

12. Consider certifying right of way for the Tully/Leonard to City limits project.  
(One of the City's requirements on this Federally subsidized project is to certify as to the status of right of way acquisition. Memo with agenda. Resolution authorizing staff to execute required right of way certification needed.)

ACTION: Res. 83-639 adopted authorizing staff to execute required right of way certification. (Utility Serv. to handle)

CONSENT

13. Consider proposal from M. E. Grover to harvest olives from City-owned trees located on Mellis Park, Franklin Avenue.  
(M. E. Grover will pay the City, no later than December 15, 1983, \$3.50 per 50-pound box of olives for the right to harvest trees. Resolution approving agreement needed.)

ACTION: Res. 83-640 adopted approving agreement. (P.R. to handle)

CONSENT

14. Consider approving agreement with E & J Gallo Winery for the lease of Hangar No. 6 at the Airport.  
(This is a one-year renewal of an existing lease. The rental rates are established by the Council. There are no changes from the last lease. Resolution approving agreement needed.)

ACTION: Res. 83-641 adopted approving agreement. (Utility Serv. to handle)

CONSENT

15. Amend the Position Classification as follows:

- a) Add new class of "Programmer Analyst II"
- b) Amend "Programmer" to "Programmer Analyst I"
- c) Amend "Programmer Analyst" to "Programmer Analyst - Finance"
- d) Amend the class specification only of "Data Processing Manager" and "Word Processing Supervisor." No change in salary levels.

(Memo with agenda. Resolution amending Position Classification Plan needed, and resolution amending alphabetical listing of classifications in the salary resolution needed. Estimated cost: \$885.78. If the amount in item No. 5 of the September 13, 1983 memo cannot be absorbed in the present budget, an adjustment will be requested at the time of midyear adjustment.)

ACTION: Res. 83-642 adopted amending Position Classification Plan.

Res. 83-643 adopted amending alphabetical listing of classifications in the salary resolution. (Mgmt. Services to handle)

16. Presentation of annual Affirmative Action report.  
(Memorandum and report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion (Patterson/Whiteside, unan.) receipt of report acknowledged.

17. Consider adoption of six resolutions for the acquisition of computer hardware and software from Burroughs Corporation, Wang Laboratories and Hewlett-Packard and calling for bids for Word Processing printers. (Memo with agenda. resolutions needed authorizing the purchase and lease of equipment and calling for bids. (Five affirmative votes required.) Estimated cost: \$172,812; funds are budgeted. Bids to be opened October 25, 1983 at 3:00 p.m.)

ACTION: Res. 83-644 adopted (Sutton/Muratore, unan.) waiving formal bid and authorizing purchase of extended memory equipment from the Burroughs Corporation.

Res. 83-645 adopted (same vote) waiving formal bid and authorizing purchase of two printers from the Burroughs Corporation.

Res. 83-646 adopted (same vote) waiving formal bid and approving lease/purchase agreement with Burroughs Corporation for a disk drive.

Res. 83-647 adopted (same vote) waiving formal bid and authorizing purchase of equipment from Wang Laboratories for Wang VS and OIS Systems.

Res. 83-648 adopted (same vote) waiving formal bid and authorizing purchase of HP 1000 computer from Hewlett Packard.

Res. 83-649 adopted (same vote) calling for bids for three letter-quality printers, one matrix printer, and four twin sheet feeders.

Res. 83-650 adopted (same vote) amending budget to accommodate purchase of the above equipment.

(Police/Finance to handle)

MISCELLANEOUS

18. Appointments

None

MATTERS TOO LATE FOR THE AGENDA

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

None

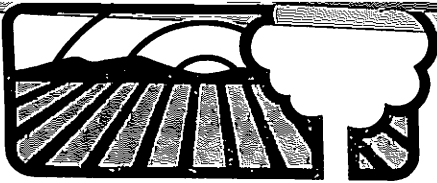
ADJOURNMENT

The meeting adjourned at 5:45 p.m.

ATTEST: Norrine Coyle  
NORRINE COYLE City Clerk

\*\*\*\*\*

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for October 4, 1983, will not be held because there is no business to transact.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 11TH 1983, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Lang, Muratore, Patterson, Sutton,  
Whiteside, Mayor Mensinger  
Councilmember Patterson arrived at 7:35 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, 7, 8, 9, 10, 11, 12, 13, 15,  
16, 17, 19, 20, 21, 22  
Removed from consent: 18

ACTION: (Whiteside/Sutton, unan.)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving 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 City Council meeting of October 6, 1983.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

## HEARINGS

3. Hearing to consider new bus deployment plan and proposed fare increases and service changes on IT and DAR.

Res. 83-651 adopted (Whiteside/Muratore, unan.) approving fare increases and ACTION: service changes for Intracity Transit.

Res. 83-652 adopted (same vote) approving fare increases and service changes for Dial-a-Ride.

By motion (same vote) Council encouraged fund raising efforts to assist with fares for handicapped and elderly persons, asked staff to pursue ways and means to reduce and/or eliminate the fare box ratios, and expressed Council's intent to review the handicapped and elderly fares if those efforts are successful.

By motion (same vote) staff directed to further explore and report to Council on the use of taxi cabs by the handicapped.

By motion (Lang/Patterson, unan.) plan accepted as recommended with staff authorized to make minor adjustments as needed. (P.T. to handle)

4. Hearing to consider appeal of Mid-Valley Engineering, on behalf of C.D.S. Development, to a Planning Commission decision regarding the modification of P-D(197).

ACTION: By motion (Whiteside/Lang, unan.) this hearing was continued to October 25, 1983, at 7:30 p.m. (Clerk to handle)

5. Hearing to consider amendment to Sec. 7-3-9 of the Zoning Map to repeal P-D(197) and rezone to R-1, property located at the northeast corner of Standiford Avenue and San Clemente Avenue. (Planning Commission initiated)

ACTION: By motion (Whiteside/Lang, unan.) this hearing was continued to October 25, 1983, at 7:30 p.m. (Clerk to handle)

6. Hearing to consider the appeal of Lloyd Seagraves to a Board of Zoning Adjustment decision concerning an application of Sherwin-Williams Company for an H-1 Use Permit at the northwest corner of Woodrow Avenue and McHenry Avenue.

ACTION: By motion (Lang/Muratore, unan.) withdrawal of the appeal by Mr. Seagraves was acknowledged.

## BIDS

### CONSENT

7. Consider approval of plans and specifications and call for bids for construction of streets adjacent to Orchard Neighborhood Park.  
(Suggested bid opening: October 25, 1983, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$78,600 (contract \$69,880; engineering \$8,720); funds are budgeted.)

ACTION: Res. 83-653 adopted calling for bids. (Eng. to handle)

### CONSENT

8. Consider approval of plans and specifications and call for bids for the roof repair of Parking and Traffic building at Corporation Yard - Block 436.  
(Suggested bid opening: October 25, 1983, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$12,000 (contract \$10,000; engineering \$2,000); funds are budgeted.)

ACTION: Res. 83-654 adopted calling for bids. (Eng. to handle)

### CONSENT

9. Consider award of contract for bank repair and slope protection at Kewin Park bike bridge.  
(Bids were opened on October 4, 1983. The low bid of \$28,740, submitted by Modesto Sand and Gravel, is 15% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract to Modesto Sand and Gravel needed. Funds are budgeted.)

ACTION: Res. 83-655 adopted awarding contract. (Eng. to handle)

### CONSENT

10. Consider award of contract for Briggsmore street lighting, Phase 2 - Carver Road east.  
(Bids were opened on October 4, 1983. The low bid of \$24,142, submitted by M & M Electric, is 40% 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 the contract to M & M Electric needed. Funds are budgeted.)

ACTION: Res. 83-656 adopted awarding contract. (Eng. to handle)

### CONSENT

11. 1) Consider declaring Best Chevrolet low bidder on a service truck and authorize the purchase for the total price of \$19,135; and  
2) Consider declaring Dow Hammond low bidder on a service van and authorize the purchase for the total price of \$13,548.

(Memorandum with agenda. Resolution authorizing purchase of service truck from Best Chevrolet needed, and resolution authorizing purchase of service van from Dow Hammond needed. Funds are budgeted.)

ACTION: Res. 83-657 adopted awarding bid to Best Chevrolet for service truck.  
Res. 83-658 adopted awarding bid to Dow Hammond for service van. (Finance to handle)

CONSENT

12. Consider approving specifications and authorize call for bids to be opened November 1, 1983, at 3:00 p.m. for furnishing two high dump street sweepers. (Requested by the Service Division, one of the sweepers will replace a bottom dump unit currently assigned to the Garden Refuse Division. The second unit is an additional sweeper provided for in the CIP. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$204,000; funds are budgeted.)

ACTION: Res. 83-659 adopted calling for bids. (Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

13. Letter from Gary West resigning from the Downtown Improvement District Advisory Board. (Resolution accepting resignation with regret needed.)

ACTION: Res. 83-660 adopted accepting resignation with regret. (Clerk to handle)

14.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Jeanette Ayres spoke.

Anthony Gonsalves thanked the Mayor for her assistance in helping him obtain a 3-month position as a page in the House of Representatives and briefly described his experiences.

NEW BUSINESS

CONSENT

15. Consider approving agreement with Dash Air Corporation for operating an airline at the Airport. (This is a one-year agreement. Dash Air will pay the City \$574.25/month for the use of a portion of the terminal plus landing and tie-down fees determined by usage. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 83-661 adopted approving agreement. (Utility Serv. to handle)

CONSENT

16. Consider approving lease agreement with Aloma Lackey for the lease of Parkview Guesthome located at 1343 Legion Park Drive. (This is a one-year renewal of an existing lease. Rent is increased from \$450/month to \$465/month. Mrs. Lackey has been an excellent tenant since 1977. Resolution approving agreement needed.)

ACTION: Res. 83-662 adopted approving agreement. (Utility Serv. to handle)

CONSENT

17. Consider approving a "Request for Proposals" for a full service fixed base operation at the Airport.  
(Staff is recommending the vacant Hawke/Mercury fixed base operation be advertised as being available. Memo with agenda. Resolution approving "Request for Proposals" and authorizing staff to issue it with the proposals to be submitted on November 15, 1983, at 3:00 p.m. needed.)

ACTION: Res. 83-663 adopted requesting proposals. (Utility Serv. to handle)

18. Consider policy establishing guidelines for naming parks not adjacent to schools. (The Culture Commission has reviewed and recommends approval of the aforementioned policy. Memo with agenda. Resolution approving policy needed.)

ACTION: By motion (Whiteside/Muratore, unan.) staff directed to reword Item 5 to include the possibility of naming parks after individuals who have made significant community service contributions. (Atty. to handle)

CONSENT

19. Consider approving lease agreement with Craig Leavitt-Stephen Weaver, Inc. for the lease of 1125 11th Street. This is an interior decorating shop on the Agri-Trade Center block.  
(This is a one-year renewal of an existing lease. Rental and all other terms remain the same. This extension will not conflict with any plans for the proposed project. Resolution approving agreement needed.)

ACTION: Res. 83-664 adopted approving agreement. (Utility Serv. to handle)

CONSENT

20. Consider approving agreement with Florence DeMartini for the acquisition of her share of a bicycle easement. (MID Lateral No. 2 at Encina and Conejo)  
(Mrs. DeMartini has agreed to sell the required right of way for the appraised value of \$20. Memo with agenda. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 83-665 adopted approving agreement. (Utility Serv. to handle)

CONSENT

21. 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. 83-666 adopted approving agreement. (Utility Serv. to handle)

CONSENT

22. Consider policy establishing criteria and procedures for acquiring and de-accessioning artifacts in historical buildings.  
(The culture Commission has reviewed and recommends approval of the aforementioned policy. Memo with agenda. Resolution approving policy needed.)

ACTION: Res. 83-667 adopted approving policy. (P.R. to handle)

CONSENT

23. Implementation of the new name of John Thurman Field for the City's municipal baseball park.  
(Memorandum with agenda. Adoption of a resolution naming the municipal baseball park John Thurman Field; introduction of an ordinance amending Chapter 3 of Title XII of the Modesto Municipal Code to change references therein to the name of the facility to John Thurman Field; adoption of a resolution establishing rules and regulations, fees, and conditions for the use of John Thurman Field; and approval of an amendment to the Modesto A's lease agreement to refer to John Thurman Field needed.)

ACTION: Res. 83-668 adopted naming the municipal baseball park John Thurman Field.  
By motion, Ord. No. 2220-C.S. introduced amending Chapter 3 of Title XII of the Modesto Municipal Code.  
Res. 83-669 adopted establishing rules and regulations, fees and conditions for use.  
Res. 83-670 adopted amending Modesto A's lease agreement to refer to John Thurman Field. (P.R./Atty./ Clerk to handle)

MISCELLANEOUS

24. Appointments

None

25.

MATTERS TOO LATE FOR THE AGENDA

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

None

CLOSED SESSION

(Closed session to discuss pending litigation.)

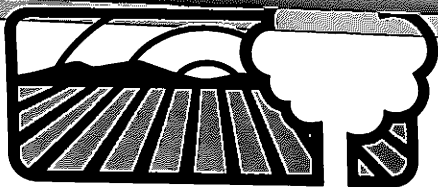
ADJOURNMENT

The meeting adjourned to closed session at 11:10 p.m.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

\*\*\*\*\*

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for October 11, 1983, will not be held because there is no business to transact.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 18, 1983, 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, 5, 6, 7, 8, 9, 13, 14, 15, 16, 17, 18, 19, 20

Dropped from agenda: 12

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

None

### MINUTES

#### CONSENT

2. Approval of the minutes of the October 11, 1983, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

## UNFINISHED BUSINESS

### CONSENT

3. Final adoption of Ord. No. 2220-C.S. amending Chapter 3 of Title XII of the Modesto Municipal Code relating to John Thurman Field.  
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2220-C.S. adopted.

(Clerk to handle)

## HEARINGS

4. Hearing to consider McHenry-Dry Creek Municipal Reorganization annexation to Modesto Municipal Sewer District No. 1.

ACTION: Res. 83-671 adopted (Muratore/Bright, unan.) annexing to Sewer District No. 1.  
(Clerk to handle)

## BIDS

### CONSENT

5. Consider approval of plans and specifications and call for bids for the installation of playground apparatus in East LaLoma Neighborhood Park (Roberti-Z'berg Grant Project #B050-501).  
(Suggested bid opening: November 1, 1983, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$36,750 (Contract \$35,000; Engineering \$1,750); funds are budgeted.)

ACTION: Res. 83-672 adopted calling for bids.

(P.W. to handle)

### CONSENT

6. Consider award of contract for the reroofing of the City Hall Annex.  
(Bids were opened on October 11, 1983. The low bid of \$15,986, submitted by Commercial Roofing Technology is 7% above 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 Commercial Roofing Technology needed. Funds are budgeted.)

ACTION: Res. 83-673 adopted awarding contract.

(Finance to handle)

### CONSENT

7. Consider acceptance of Valley Slurry Seal Company's contract for second layer slurry seal on downtown City streets. (Original contract: \$27,826)  
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$25,945.89); funds are budgeted.)

ACTION: Res. 83-674 adopted accepting work as complete.

(Clerk to handle)

CONSENT

Cunningham Co.

8. Consider acceptance of Chas I./ contract for the fire engine pumper test pit and road construction - Block 6240. (Original contract: \$48,462.50)  
(All work on this project has been completed to the satisfaction of the Engineering Department and the Fire 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: \$49,255.60; funds are budgeted.)

ACTION: Res. 83-675 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

9. Request by William King, Modesto Detachment, Marine Corps League, for assistance with their Veterans' Day parade.  
(Motion approving needed. Estimated cost:\$375 )

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

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Mr. Petersen asked about the report on trees on private property. He was told the report would be on the November 1, agenda.

NEW BUSINESS

12. Consider disposition 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.)

DROPPED FROM AGENDA.

**CONSENT**

13. Consider approving agreement with FMC Corporation to lease 317.6± square feet of the City Service Yard to be used for test wells, and consider giving permission to FMC to install four test wells on property owned by Knudsen.  
(FMC needs to install test wells to monitor the groundwater surrounding their plant. Memo with agenda. Resolution approving agreement needed, and resolution permitting the drilling of four wells on the Knudsen property needed.)

**ACTION:** Res. 83-676 adopted approving agreement.

Res. 83-677 adopted permitting the drilling of four wells.

(Utility Serv. to handle)

**CONSENT**

14. Consider authorizing the City Manager to sign a lease agreement with Western Diversified Enterprises to install two video game machines in the airport passenger terminal. (Requested by the Airport Manager, the video games will provide revenue for the Airport Fund and amusement for terminal occupants. Considerations shall be 25% of the first \$3,000 and \$50% in excess thereof. Resolution approving lease agreement needed.)

**ACTION:** Res. 83-678 adopted approving lease agreement.

(Utility Serv. to handle)

**CONSENT**

15. Consider approving the final map of Dutchollow No. 2 subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. (Subdividers: Zagaris Management Services)  
(The subdivision agreement has been signed and all fees paid. Dutchollow No. 2 is located south of Snyder Avenue and east of Dale Road. It contains 11.525 acres. Resolution approving final map needed.)

**ACTION:** Res. 83-679 adopted approving final map.

(Clerk to handle)

**CONSENT**

16. Consider acceptance of improvements in Rosegate Townhouses subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: First Interstate Bank)  
(Rosegate Townhouses subdivision is located on the north side of Scenic Drive west of Rose Avenue. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed.)

**ACTION:** Res. 83-680 adopted accepting improvements as complete.

(Clerk to handle)

CONSENT

17. Consider acceptance of improvements in Rosegate Townhouse No. 2 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: First Interstate Bank) (Rosegate Townhouses No. 2 is located on the north side of Scenic Drive west of Rose Avenue. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 83-681 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

18. Consider request for refund of overpayment of business license tax of \$2,185.83 to Chuck E. Cheese - Pizza Time Theatre. (Memo with agenda. Resolution approving refund of overpayment of business license tax needed.)

ACTION: Res. 83-682 adopted approving refund. (Finance to handle)

CONSENT

19. Consider request for refund of overpayment of business license tax of \$846.62 to Holt Motors. (Memo with agenda. Resolution approving refund of overpayment of business license tax needed.)

ACTION: Res. 83-683 adopted approving refund. (Finance to handle)

CONSENT

20. Presentation of monthly financial report for September, 1983. (Copies of report to be presented at meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

21. Appointments  
None

MATTERS TOO LATE FOR THE AGENDA

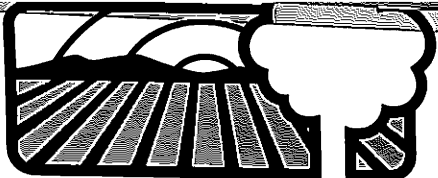
(These may be presented by interested persons in the audience.)

ACTION: Res. 83-684 adopted (Sutton/Bright, unan.) supporting the proposed Stanislaus County Plant Closure Dislocated Worker Program and request for grant funds. (Mgr. to handle)

22. CLOSED SESSION  
(Closed session to consider an employee relations matter.)

The meeting adjourned at 4:15 p.m. to closed session held immediately following the Redevelopment Agency meeting.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 25, 1983, 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. Ora Bassard, Peace Church of God in Christ

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

Dropped from agenda: 13

ACTION: (Muratore/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 October 18, 1983, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

## HEARINGS

3. Hearing to consider issuance of Industrial Revenue Bonds for Stonebridge multi-family residential housing facility located on the corner of Veneman Avenue and Hahn Drive.

ACTION: Res. 83-685 adopted (Sutton/Patterson, majority, Lang and Whiteside - no, Mayor Mensinger absent) approving issuance of the bonds. (Planning to handle)

A five minute recess was taken at 9:25 p.m.

4. Appeal of Mid-Valley Engineering, on behalf of C.D.S. Development, Inc., to a Planning Commission decision denying an amendment to P-D(197) to increase the number of dwelling units, property located at the northeast corner of Standiford Avenue and San Clemente Avenue.

ACTION: By motion (Muratore/Lang, unan., Mayor Mensinger absent) Ord. No. 2221-C.S. introduced.

Res. 83-686 adopted (same vote) approving plan and certifying review of Environmental Assessment. (Clerk to handle)

5. Hearing to consider repealing P-D(197), and rezoning to R-1, property located at the northeast corner of Standiford Avenue and San Clemente Avenue. (Planning Commission initiated)

ACTION: Res. 83-687 adopted (Muratore/Lang, unan., Mayor Mensinger absent) denying rezoning and certifying review of Environmental Assessment. (Clerk/Planning to handle)

6. Hearing to consider the appeal of David Basmajian to a Board of Zoning Adjustment decision denying a variance for a fence at 319 Griswold Avenue.

ACTION: By motion (Muratore/Lang, unan., Mayor Mensinger absent) hearing continued to November 15, 1983, at 4:00 p.m. (Clerk to handle)

## BIDS

### CONSENT

7. Consider approval of plans and specifications and call for bids for the remodeling of Legion Park restroom.  
(Suggested bid opening: November 8, 1983, at 11:00 a.m. This project will consist of reconstructing the restroom facility at Legion Park to allow access for handicapped persons. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$12,362.50 (contract \$10,750; engineering \$1,612.50); funds are budgeted.)

ACTION: Res. 83-688 adopted calling for bids.

(Eng. to handle)

CONSENT

8. Consider award of contract for construction of curb ramps - Project No. 5. (Bids were opened on October 18, 1983. The low bid of \$30,866, submitted by Anthony Cartisano & Sons, is 11% 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 Anthony Cartisano & Sons needed. Funds are budgeted.)

ACTION: Res. 83-689 adopted awarding contract.

(Eng. to handle)

CONSENT

9. Consider acceptance of Industrial Electric's contract for improvements at Oakdale and Sylvan. (Original contract: \$94,896) (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: \$99,983; funds are budgeted.)

ACTION: Res. 83-690 adopted accepting work as complete.

(Clerk to handle)

CONSENT

10. Consider approving specifications and authorize call for bids to be opened November 15, 1983, at 3:10 p.m. for furnishing two Police traffic scooters. (Requested by the Service Division, the traffic scooters will be permanently assigned to the Police Department and will be used primarily for downtown parking control. The vehicles will replace two similar units presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$12,792; funds are budgeted.)

ACTION: Res. 83-691 adopted calling for bids.

(Finance to handle)

CONSENT

11. Consider approving specifications and authorize call for bids to be opened November 15, 1983, at 3:20 p.m. for furnishing three compactors. (Requested by the Service Division, the compactors will be permanently dispatched to Street and Water crews, and will replace similar equipment presently in service. The units are used to compact soils disturbed by waterworks or street repairs. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$7,361; funds are budgeted.)

ACTION: Res. 83-692 adopted calling for bids.

(Finance to handle)

CONSENT

12. Consider approving specifications and authorize call for bids to be opened November 15, 1983, at 3:30 p.m. for furnishing one sewer rodder truck. (Requested by the Service Division, the truck will be permanently assigned to the Utility Services Sewerage Division and used to clean out sewer lines. The sewer rodder truck will not replace any similar vehicle presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$36,000; funds are budgeted.)

ACTION: Res. 83-693 adopted calling for bids.

(Finance to handle)

CONSENT

13. Consider authorizing the City Manager to sign agreement with Isaac Mirza Esho for concession service at Beyer Park.  
(Memorandum with agenda. Resolution awarding bid contract needed.)

Dropped from Agenda.

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

None

NEW BUSINESS

15. Processing of College West EIR and General Plan Amendment.  
(Memo with agenda. Staff recommends delaying consideration of the College West General Plan amendment until Environmental Protection Agency concerns are met. Motion directing staff needed.)

ACTION: By motion (Muratore/Patterson, unan., Mayor Mensinger absent) this item continued to November 22, 1983, at 7:30 p.m. (Clerk to handle)

CONSENT

16. Consider acceptance of State grant application for Sonoma Neighborhood Park.  
(The State has approved the City's grant application for \$6,142 for the installation of security lighting at Sonoma Park. Before the City can proceed with the project, an amendment to the 1983-84 final budget is necessary. Memo with agenda. Resolution accepting grant needed, and resolution amending the budget needed. Estimated cost: \$10,042; funds are partially budgeted.)

ACTION: Res. 83-694 adopted accepting State grant application.

Res. 83-695 adopted amending the budget. (P.R./Finance to handle)

CONSENT

17. Consider authorizing application for third-year funding (11-1-83 through 10-31-84) for the Organized Juvenile Offenders' Diversion Program.  
(Memo with agenda. Resolution authorizing City Manager to make application needed.)

ACTION: Res. 83-696 adopted authorizing City Manager to sign application.  
(Police to handle)

CONSENT

18. Consider approval of proposed agreement with Recreation Systems, Inc. (Staff is recommending the contract with Recreation Systems, Inc. to develop master plan for Sipherd Neighborhood Park. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$4,500; funds are budgeted.)

ACTION: Res. 83-697 adopted approving agreement. (P.R. to handle)

CONSENT

19. Consider approving an agreement with George L. Page for CATV consulting service. (Memo with agenda. Resolution approving agreement needed. Estimated cost: \$3,550. Funds to be requested later in order to consolidate CATV budget requests into one appropriation transfer.)

ACTION: Res. 83-698 adopted approving agreement. (CATV Committee)

CONSENT

20. Consider proposed agreement with Modesto Irrigation District that would oblige the City of Modesto to furnish certain engineering services incident to the Ground Water Management Study. (Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 83-699 adopted approving agreement. (Eng. to handle)

CONSENT

21. Consider setting hearing for proposed fee adjustments relating to land development, street encroachment permits, building inspection, sewer and water inspection reimbursement agreements, and document reproduction. (Resolution setting public hearing November 8, 1983, at 7:30 p.m. needed.)

ACTION: Res. 83-700 adopted setting hearing. (Clerk to handle)

CONSENT

22. Consider adoption of an ordinance amending Section 10-1.01 of the Modesto Municipal Code to add a provision that one member of the City Planning Commission also serve as a member of the Stanislaus County Planning Commission. (Memorandum with agenda. Introduction of an ordinance needed.)

ACTION: By motion, Ord. No. 2222-C.S. introduced. (Clerk to handle)

MISCELLANEOUS

23. Appointments

None

24.

MATTERS TOO LATE FOR THE AGENDA

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

None

ADJOURNMENT

With tribute to the recently slain Marines, the meeting adjourned at 10:05 p.m. to closed session to discuss pending litigation and then to October 27, 1983, at 9:00 a.m. in the Third Floor Conference Room, City Hall, for the purpose of discussing City goals and objectives.

ATTEST:

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

Adjourned Regular Meeting  
Modesto City Council  
October 27, 1983

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

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

Absent: Mayor Mensinger

There was a discussion of City goals and objectives.

The meeting adjourned at 10:05 a.m., to November 3, 1983, at 7:30 a.m., at the City Council Chambers, City Hall, to go to Murphys for a planning session.

ATTEST:

  
GARTH LIPSKY, Acting City Clerk

Adjourned Regular Meeting  
Modesto City Council  
October 27, 1983

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

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

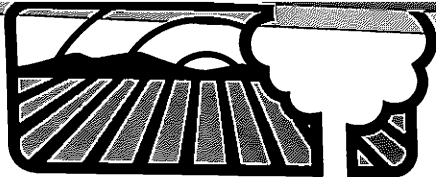
Absent: None

There was a discussion of City goals and objectives.

The meeting adjourned at 10:05 a.m., to November 3, 1983, at 7:30 a.m., at the City Council Chambers, City Hall, to go to Murphys for a planning session.

ATTEST:

  
GARTH LIPSKY, Acting City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 1, 1983, 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: Vice Mayor Tom Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25

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 October 25, 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. 2221-C.S. amending P-D(197) to increase number of dwelling units, property located at the northeast corner of Standiford and San Clemente. (C.D.S. Development)
- b. Ord. No. 2222-C.S. relating to Planning Commission to add a provision that one member of the City Planning Commission also serve as a member of the Stanislaus County Planning Commission. (Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

4. Consider staff report on the regulation of privately-owned trees on private property. (Memorandum with agenda. Motion acknowledging receipt of report needed.)

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

## HEARINGS

5. Hearing to consider rezoning from a portion of P-D(141) to P-D(342) for a residential condominium, and a portion of P-D(141) to P-D(343) for office, commercial, and mini-storage development, property located on the south side of Floyd Avenue, west of Oakdale Road. (Resource Development)

ACTION: By motion (Muratore/Lang, unan.) Ord. No. 2223-C.S. approving P-D(342) introduced.

Res. 83-701 adopted (same vote) approving plan.

Res. 83-702 adopted (same vote) certifying review of Environmental Assessment.

By motion (same vote) Ord. No. 2224-C.S. approving P-D(343) introduced.

Res. 83-703 adopted (same vote) approving plan.

Res. 83-704 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

## BIDS

### CONSENT

6. Consider approving specifications and authorize call for bids to be opened November 22, 1983, at 3:00 p.m. for furnishing three sedans and five pickups. (Requested by the Service Division, the vehicles will be used by the departments noted on the data sheet with the agenda. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$74,711; funds are budgeted.)

ACTION: Res. 83-705 adopted calling for bids.

(Finance to handle)

CONSENT

7. Consider award of contract for the roof repair of Parking and Traffic building at the Corporation Yard - Block 436.  
(Bids were opened on October 25, 1983. The low bid of \$11,700, submitted by Sierra Roofing, is 17% above the engineer's estimate and considered acceptable. It is therefore recommended that the contract be awarded to them. Resolution awarding contract to Sierra Roofing needed. Funds are budgeted.)

ACTION: Res. 83-706 adopted awarding contract.

(Eng. to handle)

CONSENT

8. Consider award of contract for the construction of streets adjacent to Orchard Neighborhood Park.  
(Bids were opened on October 25, 1983. The low bid of \$61,650, submitted by The Flintkote Company, is 11.8% 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 The Flintkote Company needed. Funds are budgeted.)

ACTION: Res. 83-707 adopted awarding contract.

(Eng. to handle)

CONSENT

9. Consider acceptance of Walther Electric's contract for the Briggsmore Avenue street lighting. (Original contract: \$27,000)  
(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: \$28,400; funds are budgeted.)

ACTION: Res. 83-708 adopted accepting work as complete.

(Clerk to handle)

CONSENT

10. Consider authorizing City Manager to sign amendment to agreement with Conco-West for storm drain improvements on 4th Street between "J" and "K" Streets.  
(The contractor requests amending his contract to allow final payment and still allow him to pursue a claim for \$1,386. Contract specifications release the City of all claims once the final payment is signed. The claim has been denied, but it is still under review. Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 83-709 adopted approving amendment to agreement.

(Eng. to handle)

WRITTEN COMMUNICATIONS

11. Letter from Dave Kilby, Modesto Chamber of Commerce, concerning the Chamber's economic development program.

By order of the Chair, this item is to be placed on the November 15 agenda, as requested by the Chamber. (Clerk to handle)

12. Letter from Merle Mensinger, Downtown Improvement District, concerning the use of Ninth Street by Tidewater Railroad.

By order of the Chair, staff directed to continue efforts to get information on costs of moving rail line from Union Pacific.

- 12A. Request by Laurence Martin to have a hearing before the City Council on November 8, 1983, regarding the E and J Gallo Winery proposals in reference to the D Street to Las Flores, Highway 32 project.

Request withdrawn by Mr. Martin.

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

None

NEW BUSINESS

14. Oral presentation regarding the City of Modesto's upcoming United Way/CHAD campaign. (Memo with agenda.)

No action taken.

CONSENT

15. Consider approving agreement with the Regents of the University of California (Co-operative Extension) for the lease of a portion of the Lincoln School site for a community garden.  
(This is a one-year renewal of an existing lease. Under the lease, individuals work a small garden plot under the supervision of a Master Gardner trained by the University. This is the third year of this program. Resolution approving agreement needed.)

ACTION: Res. 83-710 adopted approving agreement.

(Utility Serv. to handle)

CONSENT

16. Consider approving agreement with Central Valley Courier Service, Inc. allowing them to conduct courier services at the Airport.  
(This is a month-to-month agreement with Central Valley Courier Services allowing them to operate at the Airport. It also allows them to park one vehicle at the Airport. For these rights they will pay the City \$50 per month. Resolution approving agreement needed.)

ACTION: Res. 83-711 adopted approving agreement. (Utility Serv. to handle)

CONSENT

17. Consider approving agreement with Reed Leasing and Rental, Inc. dba Avis Rent-A-Car System to allow them to provide rental car service at the Airport.  
(This is a one-year renewal of an existing lease. Avis pays the City 10% of their gross with a \$300 per month minimum. Resolution approving agreement needed.)

ACTION: Res. 83-712 adopted approving agreement. (Utility Serv. to handle)

CONSENT

18. Consider approving assignment of lease from Nathan J. and Eunice M. Province to Pacific Aircraft Services, Inc., and consider approving Pacific Aircraft Services, Inc. to operate as a fixed-base operation at the Airport.  
(Mr. and Mrs. Province would like to sell their business at the Airport and retire. This involves the City's approving the assignment of the lease and approving the new purchaser as a fixed-base operator. Memo with agenda. Resolution approving assignment of lease needed, and resolution approving Pacific Aircraft Services, Inc. to operate as a fixed-base operation needed.)

ACTION: Res. 83-713 adopted approving assignment of lease from Nathan & Eunice Province to Pacific Aircraft Services, Inc.  
Res. 83-714 adopted approving Pacific Aircraft Services, Inc. to operate as a fixed-base operation at Airport. (Utility Serv. to handle)

CONSENT

19. Consider approving three agreements with Della Farrell, Della Farrell as conservator for Paul Lagomarsino, and Gertrude W. Sivils for the acquisition of their share of a bicycle easement.  
(Mrs. Farrell and Mrs. Sivils have agreed to sell the three required rights of way for \$35, \$90, and \$10 respectively. Memo with agenda. Three resolutions approving three agreements needed. Funds are budgeted.)

ACTION: Res. 83-715 adopted approving agreement with Della Farrell.  
Res. 83-716 adopted approving agreement with Della Farrell as conservator for Paul Lagomarsino.  
Res. 83-717 adopted approving agreement with Gertrude Sivils. (Utility Serv. to handle)

CONSENT

20. Consider approving a one-year concession agreement with Patrick M. Lyons for the lease of Airport terminal space to be developed into a food concession.  
(Mr. Lyons is the successful proposer for this concession. He will install all the equipment necessary to develop this concession and will pay the City 12% of his gross proceeds. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 83-718 adopted approving agreement. (Utility Serv. to handle)

21. Consider a rebate/credit in the water main connection fee to builders and developers when they voluntarily install sprinkler systems in dwellings. This rebate/credit would apply to single-family dwellings and duplexes.  
(This rebate/credit is suggested to encourage builders and developers to voluntarily install fire sprinkler systems in dwellings. The rebate/credit can be given since less fire protection will be needed in areas where dwellings are equipped with sprinkler systems. Memo with agenda. Resolution amending the City's schedule of fees and charges for water service to allow a \$50 rebate/credit in the water main connection fee needed.)

ACTION: Res. 83-719 adopted (Whiteside/Sutton, unan.) amending the City's schedule of fees and charges for water service. (Eng./Finance to handle)

CONSENT

22. Consider renewal of agreement with Nancy M. Young, Executive Director, Downtown Improvement District.  
(This is the third renewal of an existing annual agreement. Resolution approving agreement needed.)

ACTION: Res. 83-720 adopted approving agreement. (Planning to handle)

CONSENT

23. Consider acceptance of Federal Land and Water Conservation Fund Grant for construction of restroom/utility building at Tuolumne River Regional Park.  
(The Federal government has approved the City's grant application for \$25,200. Memo with agenda. Resolution accepting grant and authorizing the City Manager to sign the agreement needed. Estimated total cost: \$50,400; funds are budgeted.)

ACTION: Res. 83-721 adopted accepting grant and authorizing the City Manager to sign agreement. (P.R. to handle)

CONSENT

24. Consider request for refund to E. F. Hutton & Co. of overpayment of Business Improvement Area Tax in the amount of \$1,367.81.  
(Memo with agenda. Resolution approving refund of overpayment needed.)

ACTION: Res. 83-722 adopted approving refund. (Finance to handle)

CONSENT

25. Consider amendment of conditional use permit for McHenry Station Restaurant.  
(Memorandum with agenda. Resolution amending conditional use permit needed.)

ACTION: Res. 83-723 adopted amending conditional use permit. (Atty. to handle)

26. Consider approval of an amendment to the annual claim for Local Transportation Funds, Nonmotorized Funds, for FY 1983-84.  
(Council has asked the annual Nonmotorized Funds Claim include California Avenue bike and pedestrian project. Memo with agenda. Resolution approving amendment needed.)

ACTION: Res. 83-724 adopted (Sutton/Whiteside, unan.) approving amendment.  
(Finance to handle)

MISCELLANEOUS

27. Appointments

None

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

The Mayor wished Robyn well in her new position as manager of a cablevision company in Lodi.

29. CLOSED SESSION  
(Closed session to discuss employee relations and pending litigation.)

ADJOURNMENT

The meeting adjourned at 6:10 p.m. to closed session to discuss employee relations and pending litigation.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

Adjourned Regular Meeting  
Modesto City Council  
November 3, 1983

The Council of the City of Modesto met pursuant to adjournment at 9:30 a.m., at the Murphys' Hotel, in Murphys, California.

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

Absent: None

The Councilmembers continued their discussion of City goals and objectives.

The meeting adjourned at 7:20 p.m. to November, 4, 1983, at 8:30 a.m. at the Murphys' Hotel, in Murphys, California.

ATTEST:

  
GARTH LIPSKY, Acting City Clerk

Adjourned Regular Meeting  
Modesto City Council  
November 4, 1983

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

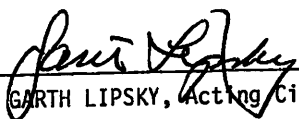
Present: Councilmembers Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

Absent: None

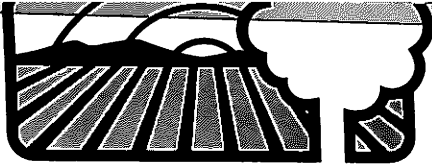
The Councilmembers continued their discussion of City goals and objectives.

The meeting adjourned at 4:05 p.m.

ATTEST:

  
GARTH LIPSKY, Acting City Clerk

11/4/83



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 8, 1983, 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. Mike Morris, Big Valley Grace Community Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 5, 6, 7, 8, 9, 12, 13, 14,  
15, 16, 18, 19, 20, 21, 22

Dropped from agenda: No. 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

Five students from foreign countries participating in the AFS Program and a Boy Scout Troop were introduced.

## MINUTES

### CONSENT

2. Approval of the minutes of the adjourned regular meeting of October 27, 1983, and the regular City Council meeting of November 1, 1983.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2223-C.S. rezoning a portion of P-D(141) to P-D(342), property located on the south side of Floyd Avenue west of Oakdale Road (Resource Development).
- b. Ord. No. 2224-C.S. rezoning a portion of P-D(141) to P-D(343), property located on the southwest corner of Floyd Avenue and Oakdale Road (Resource Development).  
(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

4. Hearing to consider fee adjustments relating to land development, street encroachment permits, building inspection, sewer and water inspection, reimbursement agreements, and document reproduction.

ACTION: Res. 83-725 adopted (Lang/Sutton, unan.) adopting schedule of fees in connection with encroachment permits and inspections and rescinding Res. No. 82-687.

Res. 83-726 adopted (same vote) establishing a filing fee for applications for summary abandonment of public rights of way or easements and rescinding Res. No. 81-997.

Res. 83-727 adopted (same vote) establishing filing fees for subdivision and parcel maps and rescinding Res. No. 82-689.

Res. 83-728 adopted (same vote) establishing a building compliance inspection fee and rescinding Res. No. 82-502.

Res. 83-729 adopted/<sup>(same vote)</sup> establishing sign permit fees and rescinding Res. No. 83-8.

Res. 83-730 adopted (same vote) establishing a certificate of compliance fee and rescinding Res. No. 82-131.

Res. 83-731 adopted (same vote) establishing a subtrunk sewer extension charge inspection fee and rescinding Res. No. 83-32.

Res. 83-732 adopted (same vote) establishing investigation and permit fees relating to moving of buildings and rescinding Res. No. 82-501.

Res. 83-733 adopted (same vote) establishing fees and charges for copies of various maps and prints and rescinding Res. No. 82-191.

Res. 83-734 adopted (same vote) establishing a sewer bond redemption charge inspection fee and rescinding Res. No. 83-31.

Res. 83-735 adopted (same vote) establishing a fee for preparation of sewer line reimbursement agreements.

Res. 83-736 adopted (same vote) adopting a schedule of fees and charges for water service and rescinding Res. No. 83-719.  
(Eng. to handle)

BIDS

CONSENT

5. Consider approval of plans and specifications and call for bids for Paradise water line extension.  
(Suggested bid opening: November 29, 1983, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$72,510 (contract \$64,100; engineering \$6,410; City connection \$2,000); funds are budgeted.)

ACTION: Res. 83-737 adopted calling for bids. (Eng. to handle)

CONSENT

6. Consider declaring H. V. Carter Company low bidder and authorize the purchase of three gasoline powered greens mowers and three verticutter attachments for the total price of \$29,903.42 including trade-ins.  
(Memorandum with agenda. Resolution authorizing the purchase needed. Funds are budgeted.)

ACTION: Res. 83-738 adopted authorizing the purchase. (Finance to handle)

CONSENT

7. Consider acceptance of Central Ready Mix's contract for storm drain extension on Manor Oak between Walnut Tree and Lincoln Oak. (Original contract: \$39,517.52)  
(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: \$39,084.62; funds are budgeted.)

ACTION: Res. 83-739 adopted accepting work as complete. (Clerk to handle)

CONSENT

8. Consider acceptance of L. M. Roberts Construction's contract for the corporation yard expansion vehicle parking, Block 437, project. (Original contract: \$39,989.15)  
(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: \$42,482.67; funds are budgeted.)

ACTION: Res. 83-740 adopted accepting work as complete. (Clerk to handle)

CONSENT

9. Consider waiving any further attempts to bid and authorizing the purchase of three daisy wheel printers, one matrix printer, and two twin-sheet feeders from Wang Laboratories, Inc. for the total amount of \$26,907.  
(Memorandum with agenda. Resolution waiving any further bid attempts and authorizing purchase needed. Funds are budgeted. Five affirmative votes needed.)

ACTION: Res. 83-741 adopted waiving bids. (Finance to handle)

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

None

NEW BUSINESS

11. Long-term local government financing in 1984.  
(The State Legislature is holding interim hearings on long-term local government financing in 1984. The League of California Cities is asking each city to pass a resolution calling for long-term and permanent financing for local government. Memo with agenda. Resolution calling for long-term and permanent financing for local government needed.)

ACTION: Res. 83-742 adopted (Whiteside/Sutton, unan.) calling for long-term and permanent financing for local government. (Mgmt. Services to handle)

CONSENT

12. Consider implementing fare changes and bus deployment on December 1, 1983.  
(Memo with agenda. Bus and Dial-A-Ride fare changes and the new bus deployments can now be scheduled with certainty. The effective date will be December 1, 1983. Two resolutions setting December 1, 1983, as the effective date of the fares for the buses and Dial-A-Ride needed.)

ACTION: Res. 83-743 adopted establishing passenger fares for bus service.

Res. 83-744 adopted establishing passenger fares for Dial-A-Ride Service.  
(P.T. to handle)

CONSENT

13. Consider approval of transfer of funds from McHenry Mansion Contingency Reserve to McHenry Mansion Restoration Account.  
(This transfer is necessary in order to purchase wallpaper, lace curtains, draperies, painting, graining and the caterer's kitchen for the Mansion. Amount necessary to complete these projects is \$25,000. Resolution approving appropriation transfer needed.)

ACTION: Res. 83-745 adopted approving appropriation transfer. (Finance to handle)

CONSENT

14. Consider approving agreement with Grace A. Souza for the acquisition of a 0.443± acre temporary easement needed for the parallel outfall line project.  
(Mrs. Souza has agreed to sell the required easement for the appraised value of \$100. This is the third of nine required easements. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 83-746 adopted approving agreement. (Utility Serv. to handle)

CONSENT

15. Consider approval of an appropriation transfer in the amount of \$6,240 for CATV expenditures.  
(Funds are needed for consulting fees, seminar expenses for CATV Committee members, and other expenses in connection with CATV. Memo with agenda. Resolution approving appropriation transfer needed.)

ACTION: Res. 83-747 adopted approving appropriation transfer. (Finance to handle)

CONSENT

16. Consider the following actions with respect to Improvement District No. 25 - Sanitary Sewer to six separate areas (650± properties).
- Resolution determining to undertake proceedings (M25-1).
  - Resolution appointing engineer (M25-2).
  - Resolution approving map of proposed boundaries (M25-3), and
  - Resolution of Intention (M25-4).

(On August 23, 1983, the City Council directed staff to make arrangements to initiate Improvement District No. 25. The four resolutions will commence these proceedings. Four resolutions needed.)

- ACTION: Res. 83-748 adopted determining to undertake proceedings pursuant to the Municipal Improvement Act of 1913.  
Res. 83-749 adopted appointing Engineer.  
Res. 83-750 adopted approving map of proposed boundaries.  
Res. 83-751 adopted approving Resolution of Intention.

(Eng. to handle)

17. Approve advance of \$25,000 from Community Development Block Grant funds to Community Housing Resources Board (HUD-mandated) to fund activities for 1983-84. (A grant of \$25,000 has been approved by HUD for Modesto Community Housing Resources Board funding to take 30 - 90 days. Advance desired from Community Development Block Grant funds to commence activities, to be repaid when HUD funds are received. Memo with agenda. Resolution authorizing advance of funds needed.)

DROPPED FROM AGENDA.

CONSENT

18. 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.

CONSENT

19. Consider request for sewer service to property outside City limits at 1749 Crows Landing Road, located on the west side of Crows Landing Road between Crows Landing Road and Seattle Street. (Owners: Arturo and Estella DeAnda)  
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to the City and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 83-752 adopted approving agreement.

Services  
(Utilities/to handle)

CONSENT

20. Consider request for water service to property outside City limits at 1749 Crows Landing Road, located on the west side of Crows Landing Road, between Crows Landing Road and Seattle Street. (Owners: Arturo and Estella DeAnda)  
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to the City and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 83-753 adopted approving agreement. (Utilities Serv. to handle)

CONSENT

21. Consider 30 miles per hour radar-enforceable speed limits on portions of Scenic and Lakewood.  
(Memo with agenda. Radar-enforceable 30 miles per hour speed limits are proposed on Scenic (Lakewood to Lillian) and on Lakewood (Scenic to Orangeburg). Introduction of ordinance amending Municipal Code Section 3-2.1401.1 needed. Estimated cost: \$200; funds are budgeted.)

ACTION: By motion, Ord. No. 2225-C.S. introduced. (Clerk to handle)

MISCELLANEOUS

CONSENT

22. Legislation - Staff recommends opposition of federal legislation imposing state by state volume caps and other major restrictions on all industrial development bonds.  
(Memo with agenda. Motion opposing restrictive industrial development bond legislation needed.)

ACTION: By motion, restrictive industrial development bond legislation opposed.  
(Mgmt. Services to handle)

23. Appointments - None

MATTERS TOO LATE FOR THE AGENDA

24. (These may be presented by members of the City Council and staff.)  
Councilmember Whiteside reminded the public to vote.

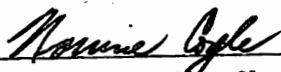
CLOSED SESSION

25. (Closed session to discuss pending litigation.)

ADJOURNMENT

The meeting adjourned at 7:50 p.m. to closed session to discuss pending litigation.

ATTEST:

  
NORRINE COYLE, City Clerk

Special Meeting  
Modesto City Council  
November 11, 1983

The Council of the City of Modesto met at 7:30 a.m., at the Sundial Lodge Restaurant, 806 McHenry Avenue, Modesto, California.

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

Absent: Councilmember Patterson

The Councilmembers met to discuss Airport matters.

The meeting adjourned at 9:25 a.m.

ATTEST:

  
GARTH LIPSKY, Acting City Clerk

Adjourned Regular Meeting  
Modesto City Council  
November 15, 1983

The Council of the City of Modesto met pursuant to adjournment at 7:00 p.m., at the Cask N Cleaver Restaurant, 3037 Sisk Road, Modesto, California.


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

Absent: None

The Councilmembers met with the MID Board of Directors and discussed the MID's power supply and energy conservation programs, the College West area, Agritrade-Community Center, water study, the Methane Project, and the Airport.

The meeting adjourned at 9:05 p.m.

ATTEST:

  
NORRINE COYLE, City Clerk

11/15/83



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 15, 1983, 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. David Seifert, Big Valley Grace Community Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 9, 10, 11, 12, 13, 14, 15,  
20, 21, 22, 23, 24

Dropped from Agenda: 19

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.)

## ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation by Modesto Chamber of Commerce.  
Dave Kilby presented copies of a new poster promoting Modesto to the Mayor and Councilmembers.  
Presentation by Girl Scout Troop No. 455.  
The Troop presented Girl Scout calendars to the Mayor and Councilmembers.

## MINUTES

### CONSENT

2. Approval of the minutes of the adjourned regular meetings of November 3, 1983, and November 4, 1983, and the November 8, 1983 regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of Ord. No. 2225-C.S. relating to speed limits.  
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2225-C.S. adopted. (Clerk to handle)

HEARINGS

4. Hearing to consider the appeal of David Basmajian to a Board of Zoning Adjustment decision denying a variance for a fence at 319 Griswold Avenue. (Continued from the October 25, 1983, meeting.)

ACTION: Res. 83-754 adopted (Lang/Muratore, unan.) granting the appeal. (Clerk to handle)

5. Hearing to consider the appeal of Mid-Valley Engineering, on behalf of James Lamatis, to a Planning Commission decision concerning a time extension for the development of P-D(226), located at the northwest corner of Scenic Drive and Claus Road.

ACTION: Res. 83-755 adopted (Lang/Bright, unan.) denying the appeal. (Clerk to handle)

6. Hearing to consider an amendment to Sections 22-3-9 and 27-3-9 of the Zoning Map to repeal P-D(272) and rezone to R-1, property located on the west side of Brighton Avenue, south of Irons Court. (Commission initiated)

ACTION: By motion (Patterson/Whiteside, unan.) Ord. No. 2226-C.S. introduced.

Res. 83-756 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

7. Hearing to consider an amendment to Sec. 21-3-9 of the Zoning Map to rezone from P-0 to P-D(345) to allow a savings and loan and business and professional offices, property located on the southwest corner of E. Orangeburg and Allen Dr. (Zagaris Management Services, Inc.)

ACTION: By motion (Muratore/Patterson, unan.) Ord. No. 2227-C.S. introduced.

Res. 83-757 adopted (same vote) approving development plan.

Res. 83-758 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

8. Hearing to consider amendment to P-D(211) to allow a second financial institution, permit project signs, alter street patterns, delete single-family lots backing up to Selby Lane, and change P-D zone phasing and timing, and to amend P-D(340) to allow freestanding project signs, property located on the west side of Oakdale Road between Floyd and Sylvan. (U.S. ByProducts)

ACTION: By motion (Sutton/Whiteside, unan.) Ord. No. 2228-C.S. introduced.  
Res. 83-759 adopted (same vote) approving development plan of P-D(211)  
Res. 83-760 adopted (same vote) amending P-D(340) (Clerk to handle)

BIDS

CONSENT

9. Consider approval of plans and specifications and call for bids for the replacement of M.I.D. irrigation line - Sylvan Avenue.  
(Suggested bid opening: December 6, 1983, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$10,875 (contract \$9,887; engineering \$988); funds are budgeted.)

ACTION: Res. 83-761 adopted calling for bids. (Eng. to handle)

CONSENT

10. Consider approval of plans and specifications and call for bids for the construction of bike trail at M.I.D. Lateral No. 2 from Phoenix to Conejo.  
(Suggested bid opening: December 6, 1983, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$13,500 (contract \$12,445; engineering \$1,055); funds are budgeted.)

ACTION: Res. 83-762 adopted calling for bids. (Eng. to handle)

CONSENT

11. Consider approving specifications and authorize call for bids to be opened December 13, 1983, at 3:00 p.m. for furnishing one Police traffic enforcement motorcycle.  
(Requested by Service Division, the motorcycle will be permanently assigned to the Police Department Field Operations where it will be used for traffic enforcement. The motorcycle will replace a similar unit presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$5,600; funds are budgeted.)

ACTION: Res. 83-763 adopted calling for bids. (Finance to handle)

CONSENT

12. Consider award of contract for the remodeling of the Legion Park restroom.  
(Bids were opened on November 8, 1983. The low bid of \$13,600, submitted by B & L Builders, is 26% above the engineer's estimate and considered acceptable. It is therefore recommended by the Parks and Recreation and Engineering Departments that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to B & L Builders needed. Funds are budgeted.)

ACTION: Res. 83-764 adopted awarding contract. (Eng. to handle)

CONSENT

13. Consider declaring Western Traction Company sole bidder and authorize the purchase of two high dump street sweepers for the total price of \$194,887.36.  
(Memorandum with agenda. Resolution authorizing the purchase of street sweepers needed. Funds are budgeted.)

ACTION: Res. 83-765 adopted authorizing the purchase of street sweepers. (Finance to handle)

CONSENT

14. Consider acceptance of Bowers Company's contract for the installation of alternative methane fuel program - gas pipeline project. (Original contract: \$249,840)  
(All work on this project has been completed to the satisfaction of the Utility Services Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$238,254.88; funds are budgeted.)

ACTION: Res. 83-766 adopted accepting work as complete.

(Clerk to handle)

CONSENT

15. Consider acceptance of Modesto Sand and Gravel's contract for the bank repair and slope protection at Kewin Park bike bridge. (Original contract and final cost: \$28,740)  
(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. 83-767 adopted accepting work as complete.

(Clerk to handle)

WRITTEN COMMUNICATIONS

16. Letter from William R. Crews regarding clear vision triangles.

Mr. Crews was thanked for the information he had presented concerning clear vision triangle violations throughout the City.

17.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

18. Consider staff report on Civil Aeronautics Board (CAB) rate hearings for essential air service between City of Modesto and San Francisco.  
(The rate hearings involved Dash Air, Desert Sun Airlines, Pacific Express, West Air Airlines, and Wing West Airlines. Report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion (Whiteside/Muratore, unan.) receipt of report acknowledged.

19. Consider approval of an increase in golf cart rental rates at Dryden Golf Course. (Staff recommends an increase in rates of golf cart rental for 18 holes from \$10 to \$11. (Nine-hole rental rate to remain the same at \$6.) The rate increase will help offset electrical cost increases. Dryden's golf cart rental rates will still be comparable to other area golf cart rentals. Resolution approving new golf cart rates needed.)

Dropped from agenda.

CONSENT

20. Consider approving agreement with The Hertz Corporation to allow them to provide rental car service at the Airport. (This is a one-year renewal of an existing lease. Hertz pays the City 10% of their gross with a \$300/month minimum. Resolution approving agreement needed.)

ACTION: Res. 83-768 adopted approving agreement. (Utility Services to handle)

CONSENT

21. Consider approval of request to install non-standard sidewalk for construction of new law office building for Damrell, Damrell and Nelson at 17th and "I" Streets. (DID has submitted a request to allow a deviation for new sidewalk proposed at 17th and "I" Streets. Staff agrees with the proposal but recommends the addition of an 18-inch walkway adjacent to the curb. Memo with agenda. Resolution approving staff recommendation needed.)

ACTION: Res. 83-769 adopted approving staff recommendation. (Eng. to handle)

CONSENT

22. Consider request of Central Valley Chrysler Plymouth for \$721.11 refund of overpayment of business improvement area tax. (Memo with agenda. Resolution approving refund of overpayment of business improvement area tax needed.)

ACTION: Res. 83-770 adopted approving refund of overpayment. (Finance to handle)

CONSENT

23. Consider abandonment of a nine-foot strip of right of way adjacent to McHenry Avenue at Block 6990 of the Harte Tract, City of Modesto. (Memo with agenda. Resolution vacating and abandoning the nine-foot strip needed.)

ACTION: Res. 83-771 adopted abandoning the nine-foot strip. (Eng. to handle)

CONSENT

24. Presentation of monthly financial statement for October, 1983.  
(Copies of report will be presented at meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

25. Appointments

None

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

None

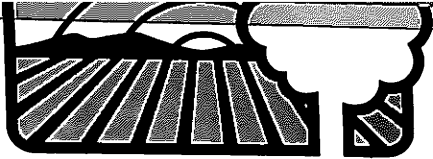
ADJOURNMENT

(To be adjourned to 6:00 p.m. for a meeting with Modesto Irrigation District Board of Directors at the Cask N Cleaver Restaurant, 3037 Sisk Road, Modesto, California.)

The meeting adjourned at 6:10 p.m. to closed session to consider pending litigation and then to the Cask N Cleaver Restaurant for a meeting with the M.I.D. Board of Directors.

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 22, 1983, 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 Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 7, 8, 14, 15, 16, 17, 18, 19

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.)

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

## MINUTES

### CONSENT

2. Approval of the minutes of the special meeting of November 11, 1983, the regular City Council meeting of November 15, 1983, and the adjourned regular meeting of November 15, 1983.

(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

## UNFINISHED BUSINESS

### CONSENT

#### 3. Final adoption of the following:

- a. Ord. No. 2226-C.S. repealing P-D(272) and rezoning to R-1, property located on the west side of Brighton Avenue south of Irons Court. (Commission Initiated)
- b. Ord. No. 2227-C.S. rezoning from P-0 to P-D(345), property located on the southwest corner of E. Orangeburg and Allen Drive. (Zagaris Management Services)
- c. Ord. No. 2228-C.S. amending P-D(211) to allow a second financial institution, property located on the west side of Oakdale Road between Floyd and Sylvan. (U.S. ByProducts)

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

### HEARINGS

4. Hearing to consider amendment to Section 10-3-9 of the Zoning Map to rezone from R-1 to R-2, property located on the east side of Montevue Drive opposite Grand Prix Drive. (Stone Bros.)

Vice Mayor Bright excused due to a conflict of interest.

ACTION: By motion (Lang/Whiteside, unan., Bright absent) hearing continued to December 20, 1983, 4:00 p.m. (Clerk to handle)

5. Hearing to consider amendment to Section 24-3-9 of the Zoning Map to repeal a portion of P-D(220) and rezone to R-2, property located at the southwest corner of Claus Road and E. Orangeburg Avenue. (Commission initiated)

ACTION: By motion (Muratore/Sutton, unan.) Ord. No. 2229-C.S. introduced.

Res. 83-772 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

6. Hearing to consider amendment to Section 28-3-9 of the Zoning Map to rezone from R-3 to P-D(344) to allow a union hall and office facilities, property located on the west corner of 16th and G Streets. (International Association of Machinists Local No. 1528)

ACTION: By motion (Muratore/Whiteside, unan.) Ord. No. 2230-C.S. introduced.

Res. 83-773 adopted (same vote) approving plan.

Res. 83-774 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

## BIDS

### CONSENT

7. Consider acceptance of Conco-West's contract for the installation of storm drainage improvements on 4th Street from "J" to "K" Street. (Original contract: \$9,300) (All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$10,686; funds are budgeted.)

ACTION: Res. 83-775 adopted accepting work as complete. (Clerk to handle)

### CONSENT

8. Consider waiving formal bid procedures and authorize the purchase of one automatic feed planetary camera from Bell & Howell for the total price of \$9,972.48. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 83-776 adopted waiving formal bid procedure. (Finance to handle)

## WRITTEN COMMUNICATIONS

9. Letter from Susan Mello regarding a walk light at the intersection of Dragoo Park Drive and Sylvan Avenue. (Memo with agenda.)

Vice Mayor Bright excused due to a conflict of interest.

ACTION: By order of the Chair, staff directed to look into the possibility of using crossing guards. (Mgr. to handle)

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

None

NEW BUSINESS

11. Processing of College West EIR and General Plan Amendment.  
(Memo with agenda. Continued from the October 25, 1983, City Council meeting.  
Motion directing staff needed.)

ACTION: By motion (Lang/Sutton, majority, Mayor Mensinger -no) the College West E.I.R. and General Plan amendment referred to the Planning Commission with efforts to be made to mitigate the Driver's problem.

By motion (Whiteside/Sutton, unan.) staff directed to provide information on how uses in the College West area can be defined. (Planning to handle)

12. City Council response to SAAG's "Housing Needs Report."  
(SAAG's "Housing Needs Report" projects a 4.38% yearly population growth and 16,261 housing unit need by 1990. Staff disagrees with these projections. Staff proposes an alternative way to address housing needs. Memo with agenda. Motion directing SAAG Policy Board representatives needed.)

ACTION: By motion (Bright/Sutton, unan.) staff recommendation approved.  
(Planning to handle)

13. Consider staff report on the feasibility study for passenger terminal expansion at the Modesto City-County Airport.  
(City Council approved an agreement with the architectural firm of Crosby, Thornton, Marshall, Booker, Lawlor, Architects, to conduct a passenger terminal study which would involve three phases of a feasibility report: preliminary design, stage drawings, and complete drawings and specifications for bidding purposes. After completion of Stage I and II, staff was to report to Council concerning the results. Memo with agenda. Motion acknowledging receipt of report needed.)

Dropped from agenda.

CONSENT

14. Consider approving amendment to lease agreement with Valley Freight Express for their lease of a portion of the Airport terminal.  
(Valley Freight leases 500± square feet of the Airport terminal, apron space, and five vehicle parking spaces. They wish to amend their lease to provide for six vehicle parking spaces. This will raise their rent \$25 per month. Resolution approving amendment to lease agreement needed.)

ACTION: Res. 83-777 adopted approving amendment to lease agreement. (Utility Serv. to handle)

CONSENT

15. Consider revised sewer service charges.  
(Staff has completed its annual review of the Sewer Revenue Program and recommends adjustments to various sewer service charges. Memo with agenda. Resolution revising sewer service charges needed.)

ACTION: Res. 83-778 adopted revising sewer service charges. (Utility Serv./Finance to handle)

CONSENT

16. Consider joining in three amicus curiae briefs in the following cases:

- 1) Los Angeles Federation of Labor, etc., et al. v. County of Los Angeles  
(Issue: L. A. County Charter anti-strike amendment)
- 2) People ex rel Seal Beach v. City of Seal Beach  
(Issue: Charter amendment requiring termination of employees who participate in strike.)
- 3) Hudson & Associates v. City of Chula Vista:  
(Issue: Authority of City to enter into an exclusive trash collection franchise without bidding; antitrust laws.)

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

ACTION: By motion, authorization given to join in amicus curiae briefs. (Atty. to handle)

CONSENT

17. Presentation of the City of Modesto's audited Comprehensive Annual Financial Report for the year ended June 30, 1983.  
(Memo and copy of the report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

18. Consider agreement for time payment for water and sewer service outside City limits at 1106-1108 North Ninth Street, located on the east side of North Ninth Street between Clayton and Carver. (Owners: William L. and Sherel E. Sweeley)  
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to City limits, and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 83-779 adopted approving agreement. (Finance to handle)

CONSENT

19. Consider agreement for time payment for water and sewer service outside City limits at 1136 North Ninth Street, located on the east side of North Ninth Street between Clayton and Carver. (Owners: William L. and Sherel E. Sweeley)  
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to City limits, and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 83-780 adopted approving agreement. (Finance to handle)

MISCELLANEOUS

20. Appointments

ACTION: Res. 83-781 adopted (Bright/Muratore, unan.) appointing Jim Van Heukelem to the Airport Advisory Committee, replacing C.K. Gottschalk, term to expire 1/1/85.

21.

MATTERS TOO LATE FOR THE AGENDA

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

None

CLOSED SESSION

Adjourned to closed session at 9:57 p.m. to discuss litigation. Returned to open session at 10:07 p.m.

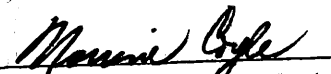
ACTION: By motion (Muratore/Bright, unan.) City Council will immediately commence dialogue with the San Joaquin County Board of Supervisors regarding the costs, benefits and economic impact of the regional airport option and direct staff to work with the San Joaquin County staff jointly to prepare a Request for Proposals for the regional airport study by January 10, 1984. It is anticipated that the study will include the following:

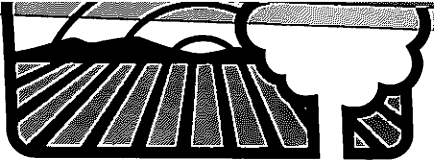
- 1) The effectiveness of the Regional Airport and the impact of marketing thereon; and
- 2) The impact of the Regional Airport on San Joaquin County, Stanislaus County and the City of Modesto, with emphasis on the respective roles of the two Airports.

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, DECEMBER 6, 1983, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Lang, Muratore, Patterson, Sutton,  
Whiteside, Mayor Mensinger  
(Councilmembers Muratore and Patterson arrived at 4:03 p.m.)  
Absent: None

Pledge of allegiance to the Flag

Invocation: Vice Mayor Tom Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13,  
14, 15, 16, 17, 18, 19, 20

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

Joe Fletcher, Deputy City Attorney, was introduced.

## MINUTES

### CONSENT

2. Approval of the minutes of the November 22, 1983, regular City Council meeting.  
(Motion approving needed.)

(Clerk to handle)

ACTION: By motion, minutes approved.

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2229-C.S. repealing a portion of P-D(220) and rezoning to R-2, property located at the southwest corner of Claus Road and East Orangeburg. (Commission initiated)
- b. Ord. No. 2230-C.S. rezoning from R-3 to P-D(344), property located on the west corner of 16th and G Streets. (International Association of Machinists)

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

BIDS

CONSENT

4. Consider approving specifications and authorizing the call for bids for furnishing athletic and recreational equipment to be opened on December 27, 1983, at 3:00 p.m. (This material will be used by the Parks and Recreation Department for the various adult leagues, youth leagues, and after-school programs. Resolution approving specifications and authorizing bid call needed. Estimated cost: \$8,600; funds are budgeted.)

ACTION: Res. 83-782 adopted calling for bids.

(Finance to handle)

CONSENT

5. Consider approval of plans and specifications and call for bids for the construction of Herndon Avenue improvements along the east side of Mancini Park - Block 3500. (Suggested bid opening: December 20, 1983, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$28,352 (contract \$25,775; engineering \$2,577); funds are budgeted.)

ACTION: Res. 83-783 adopted calling for bids.

(Eng. to handle)

CONSENT

6. Consider approval of plans and specifications for architectural work for Fire Department facilities. (Memo with agenda. Resolution approving plans and specifications needed.)

ACTION: Res. 83-784 adopted approving plans and specifications.

(Eng. to handle)

CONSENT

7. Consider award of contract for Paradise water line extension. (Bids were opened on November 29, 1983. The low bid of \$58,925, submitted by Three Rivers Construction, 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. Resolution awarding contract to Three Rivers Construction needed. Funds are budgeted.)

ACTION: Res. 83-785 adopted awarding contract. (Eng. to handle)

CONSENT

8. Consider declaring J. M. Lift Trucks sole bidder and authorize the purchase of two Police traffic scooters equipped with optional doors for the total price of \$10,547. (Memorandum with agenda. Resolution awarding bid to J. M. Lift Trucks needed. Funds are budgeted.)

ACTION: Res. 83-786 adopted awarding bid. (Finance to handle)

CONSENT

9. Consider acceptance of Lang's Enterprises' contract for the installation of alternative methane fuel program - gas processing system as complete. (Original contract: \$154,796) (All work on this project has been completed to the satisfaction of the Utility Services Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$178,111.37; funds are budgeted.)

ACTION: Res. 83-787 adopted accepting work as complete. (Clerk to handle)

CONSENT

10. Consider acceptance of California Pavement Maintenance's contract for slurry seal of residential streets, 1983-84, project as complete. (Original contract: \$85,426.75) (All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$87,160.20; funds are budgeted.)

ACTION: Res. 83-788 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

11. Letter from Georgia Williams requesting a variance for existing fence at 201 N. Emerald Avenue.

ACTION: By motion (Lang/Muratore, patterson - no) request for a variance denied.  
(Eng. to handle)

- 11a. MATTERS FOR THE GOOD OF THE COMMUNITY  
(These may be presented by interested persons in the audience.)

None

NEW BUSINESS

CONSENT

12. Consider adoption of an ordinance adding Sec. 5-4.207.4 - Animal Wastes to the Modesto Municipal Code to prohibit the accumulation of animal wastes in excess of three days without placing same in an airtight container.  
(Present Code does not contain any provision for handling this common nuisance and health problem. This proposed amendment has the full support of the County Director of Environmental Resources. Memo with agenda. Introduction of an ordinance needed.)

ACTION: By motion, Ord. No. 2231-C.S. introduced. (Clerk to handle)

CONSENT

13. Consider setting public 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.  
(On November 7, 1983, the Planning Commission adopted Res. No. 83-183 recommending to the City Council the adoption of amendments to the Land Use and Circulation Element of the Modesto Urban Area General Plan and minor changes to the Sunnyside-Brighton area Zoning and Development Plan. Resolution setting public hearing on January 10, 1984, at 7:30 p.m. needed.)

ACTION: Res. 83-789 adopted setting hearing. (Clerk to handle)

CONSENT

14. Consider setting date for informal public hearing regarding selection of an alternate for Highway 132, "D" Street to Las Flores Avenue.  
(Memo with agenda. Resolution setting informal public hearing on January 10, 1984, at 7:30 p.m. needed.)

ACTION: Res. 83-790 adopted setting hearing. (Clerk to handle)

CONSENT

15. Consider setting date for public hearing to consider proposed issuance by the Industrial Development Authority of the City of Modesto of up to \$6.8 million of Industrial Revenue Bonds for Stanislaus Foods Products Company. (Stanislaus Foods Products Company has applied for Industrial Revenue Bonds for expansion of their tomato company plant. A hearing is required by Section 103 (k)(2) of the Internal Revenue Code. Resolution setting public hearing on December 20, 1983, at 4:00 p.m. needed.)

ACTION: Res. 83-791 adopted setting hearing.

(Clerk to handle)

CONSENT

16. Consider approval of an additional expenditure of \$6,083 for the previously approved repair of the 60-inch outfall sewer line. (By Res. No. 83-554 City Council declared an urgent necessity for the preservation of the public health and adjacent properties for the repair of the leaking 60-inch outfall sewer line on the Lee almond orchard. Memo with agenda. Resolution approving expenditure needed. Funds are budgeted.)

ACTION: Res. 83-792 adopted approving expenditure.

(Utility Serv./Finance to handle)

CONSENT

17. Consider amending the Position Classification Plan and salary resolution for the following revisions:
- a. To add three classes - Claims Representative, Payroll Technician, Senior Buyer
  - b. To delete Purchasing Assistant I
  - c. To revise eight classes - Accounting Technician, Assistant Risk Manager, Collections Supervisor, Principal Management Analyst, Purchasing Assistant, Purchasing Officer, Risk Management Technician, and Risk Manager

(Memorandum with agenda. Resolution amending Position Classification plan needed, and resolution amending alphabetical listing of classifications in the salary resolution needed. If amounts cannot be absorbed in the present budget, an adjustment will be requested at the time of mid-year adjustment.)

ACTION: Res. 83-793 adopted amending the Position Classification Plan.

Res. 83-797 adopted amending the salary schedule. (Mgmt. Serv. to handle)

CONSENT

18. Consider approval of amendment to the agreement between the City and the Modesto Baseball Club. (This amendment would permit the Modesto Baseball Club to install a sign face on top of the outfield fence at John Thurman Field. Resolution approving amendment to agreement needed.)

ACTION: Res. 83-794 adopted approving amendment to agreement.

(P.R. to handle)

CONSENT

19. Consider approving storm drainage license agreement with the Modesto Irrigation District.  
(This agreement will permit the City to discharge the storm water which normally ponds at the intersection of Prescott Road and Briggsmore Avenue into the Modesto Irrigation District Lateral No. 3. Resolution approving agreement needed.)

ACTION: Res. 83-795 adopted approving agreement. (Eng. to handle)

CONSENT

20. Consider approval of the final map of Oakwood Office Park Subdivision of the City of Modesto and authorizing an agreement with the subdivider as required by Section 4-4.604(c) of the Modesto Municipal Code. (Subdividers: Guarantee Savings and Loan Association, Inc.)  
(All subdivision agreements have been signed and all fees paid. Oakwood Office Park is located at the southwestern corner of Oakdale Road and East Orangeburg Avenue. It contains 4.668 acres. Resolution approving final map needed.)

ACTION: Res. 83-796 adopted approving final map. (Clerk 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 will be adjourned to the Sundial Restaurant, 806 McHenry Avenue, Modesto, California to discuss economic development.)

Meeting adjourned at 4:36 p.m. to the Sundial Restaurant.

ATTEST:   
NORRINE COYLE, City Clerk

Adjourned Regular Meeting  
Modesto City Council  
December 6, 1983

The Council of the City of Modesto met pursuant to adjournment at 6:30 p.m., at the Sundial, 806 McHenry Avenue, Modesto, California.

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

Absent: None

There was a general discussion of economic development in Modesto and the possibility of hiring someone to work full time on getting industries and businesses to settle in Modesto. Various ideas were given to the City representatives who will be meeting with Chamber of Commerce representatives on Friday.

The meeting adjourned at 8:20 p.m.

ATTEST:

  
NORRINE COYLE, City Clerk

12/6/83



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 13, 1983, AT 7:30 P.M.

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

Absent: Councilmembers Patterson and Whiteside

Pledge of allegiance to the Flag

Invocation: Rev. Roy Blakeley, Neighborhood Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 7, 8, 9, 10, 11, 12,  
17, 18, 19, 20, 21, 22, 23, 24, 25, 26  
Removed from Consent: 3

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

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

### ACKNOWLEDGEMENTS AND PRESENTATIONS

1.

None

### MINUTES

CONSENT  
2. Approval of the minutes of the December 6, 1983, regular City Council meeting and the December 6, 1983, adjourned regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Final adoption of Ord. No. 2231-C.S. relating to animal wastes.  
(Motion adopting needed.)

ACTION: By motion (Muratore/Sutton, unan., Patterson and Whiteside absent)  
Ord. No. 2231-C.S. adopted. (Clerk to handle)

HEARINGS

4. Appeal of Arthur Herbruger to Board of Zoning Adjustment decision denying variance to the side yard setback requirement to allow a carport addition at 401 Tuolumne Boulevard.

ACTION: Res. 83-798 adopted (Muratore/Lang, unan., Patterson and Whiteside absent) denying the appeal but approving a variance for a two-foot extension to permit a standard size garage. (Planning to handle)

BIDS

CONSENT

5. Consider award of contract for the installation of play apparatus in East La Loma Neighborhood Park.  
(Bids were opened on November 1, 1983, for the above subject project. Three bids were received. The low bid, submitted by Conco-West, Inc., was 25% below the Engineer's Estimate and considered acceptable. Therefore, it is recommended by the Engineering Department that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to Conco-West needed. Estimated cost: \$26,490; funds are budgeted.)

ACTION: Res. 83-799 adopted awarding contract. (Eng. to handle)

CONSENT

6. Consider award of contract for the construction of a bike trail at M.I.D. Lateral No. 2 - Phoenix Avenue to Conejo Avenue.  
(Bids were opened on December 6, 1983. The low bid of \$11,850.40, submitted by John Raney Construction is 5% below the engineer's estimate and considered acceptable. It is therefore recommended by the Engineering and Planning Departments that the contract be awarded to him. Funds are budgeted.)

ACTION: Res. 83-800 adopted awarding contract. (Eng. to handle)

CONSENT

7. Consider the following:

- 1) Declaring Maggini Chevrolet low bidder and authorize the purchase of one four-door sedan for the total amount of \$10,903.
- 2) Rejecting the sole bid submitted by National Car Rental for furnishing two detective sedans and authorize new call for bids to be opened January 3, 1984, at 3:15 p.m.
- 3) Declaring Dow Hammond low bidder and authorize the purchase of one light utility pickup, two cab and chassis, and two pickup trucks with dump beds for the total amount of \$47,832.

(Memo with agenda. Resolution authorizing purchase of sedan from Maggini Chevrolet needed; resolution rejecting bid of National Car Rental and authorizing new bid call needed; and resolution authorizing purchase of light utility truck, cab and chassis, and pickup trucks with dump beds from Dow Hammond needed. Estimated cost: \$58,735; funds are budgeted.)

ACTION: Res. 83-801 adopted awarding bid to Maggini Chevrolet for one four-door sedan.

Res. 83-802 adopted rejecting bid for two detective sedans and authorizing new call for bids.

Res. 83-803 adopted awarding bid to Dow Hammond for one light utility pickup, two cab and chassis and two pickup trucks with dump beds. (Finance to handle)

CONSENT

- 8, Consider authorizing the purchase of three compactors from Cen-Cal Equipment Company for the total amount of \$4,007.  
(Memorandum with agenda. Resolution authorizing the purchase needed. Funds are budgeted.)

ACTION: Res. 83-804 adopted authorizing purchase.

(Finance to handle)

CONSENT

9. Consider approving specifications and authorize call for bids to be opened January 3, 1984, at 3:10 p.m. to furnish annual requirements of maintenance paint.  
(Maintenance paint will be used in 1984 on various equipment and facilities maintained primarily by the Fire, Parks and Recreation, and Utility Services Departments. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$5,500; funds are budgeted.)

ACTION: Res. 83-805 adopted calling for bids.

(Finance to handle)

CONSENT

10. Consider approval of specifications and authorize call for bids to be opened January 3, 1984, at 3:00 p.m. for furnishing annual tire recapping requirements.  
(An annual requirement, tires will be recapped intermittently throughout the 1984 year primarily for the Fire and Utility Services Departments on non-emergency vehicles such as buses, pool vehicles, etc. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$20,000; funds are budgeted.)

ACTION: Res. 83-806 adopted calling for bids.

(Finance to handle)

CONSENT

11. Consider rejecting all bids received for furnishing one sewer rodder truck and authorize new call for bids to be opened January 10, 1983, at 3:00 p.m. (Memorandum with agenda. Resolution rejecting all bids and authorizing new call for bids needed. Estimated cost: \$36,000; funds are budgeted.)

ACTION: Res. 83-807 adopted rejecting all bids and authorizing new call for bids.  
(Finance to handle)

CONSENT

12. Consider extension of request for proposals for a full service fixed base operation at the Airport.  
(Staff received approval at the October 11, 1983, Council session to advertise the Hawke Flying Service fixed base operation as being available. No interest was indicated by the deadline of November 15, 1983. Staff is requesting an extension to January 10, 1984. Resolution approving extension to January 10, 1984, at 3:10 p.m. needed.)

ACTION: Res. 83-808 adopted approving extension of request for proposals. (Utility Serv. to handle)

WRITTEN COMMUNICATIONS

13. Master Plan Report by Colleen Bare, Chairperson, Modesto Culture Commission.

ACTION: By motion (Sutton/Lang, unan., Patterson and Whiteside absent) the master plan was approved with implementation to proceed. (P.R. to handle)

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

None

NEW BUSINESS

16. Consider staff reports regarding the regulation of adult book stores in the City of Modesto and a staff presentation regarding violence on McHenry Avenue.  
(In addition to the written reports, an oral presentation will be presented by the Chief of Police. Motion acknowledging receipt of reports needed.)
- ACTION: By motion (Lang/Muratore, unan., Patterson and Whiteside absent) receipt of report acknowledged and staff directed to survey what action has been taken by other cities successfully and explore the possibility of instituting such an ordinance in Modesto. (Atty. to handle)

CONSENT

17. Consider approving agreement with The Modesto Lumber Company for the acquisition of 3,188± square feet of their land needed for the expansion of the Service Yard. (The Modesto Lumber Company has agreed to sell the required property for the appraised value of \$9,700. Resolution approving agreement needed. Estimated cost: \$10,700 (\$9,700 cost; \$1,000 est. escrow); funds are budgeted.)

ACTION: Res. 83-809 adopted approving agreement. (Utility Serv. to handle)

CONSENT

18. Consider adoption of an urgency ordinance amending the Sales and Use Tax regulations in the Modesto Municipal Code to conform to State law regarding exemptions for operators of waterborne vessels. (It is necessary to adopt the ordinance as an urgency measure to meet deadlines imposed by the State. Letter from the State Board of Equalization with agenda. Adoption of urgency ordinance needed.)

ACTION: By motion, Ord. No. 2232-C.S. adopted. (Clerk to handle)

CONSENT

19. Consider accepting a \$160,000 State grant for the Downtown Transportation Center. (Memo with agenda. The grant would cover 4.7% of the \$3.4 million cost of the Center. Federal funds of \$2,720,000, and City funds of \$520,000 would complete the Center's financing. Resolution accepting grant needed.)

ACTION: Res. 83-810 adopted accepting grant. (P.T. to handle)

CONSENT

20. Consider accepting federal grant of \$316,260 for a Pavement Marking Demonstration Program. (Memo with agenda. The grant is to install raised pavement markers and thermoplastic word messages and crosswalks on about 25 City streets. The markers and thermoplastic are to reduce accidents and to reduce the painting workload. Resolution approving Supplement No. 19 to Caltrans Agreement 10-5059 needed. Estimated City cost: \$35,140. Appropriation transfer to be made in February, 1984, with other mid-year budget adjustments.)

ACTION: Res. 83-811 adopted approving supplement to agreement. (P.T. to handle)

CONSENT

21. Presentation of monthly financial statement for November, 1983. (Copies of report will be presented at meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

22. A Citizens Housing & Community Development Committee recommendation to approve an amendment to the Community Development Block Grant (CDBG) Program Year which would change FY 84-85 dates from 7/1/84 to 6/30/85 to 3/1/84 to 6/30/85. (To gain early release of FY 84-85 funds, a letter of request to H.U.D. is required for permission to start the application process (public citizen hearings, Council hearings). This would enable the Housing Maintenance Program to receive allocation of CDBG funds in March, 1984 rather than July, 1984. Resolution authorizing City Manager to request Program Year Change from U.S. Department of H.U.D. needed.)

ACTION: Res. 83-812 adopted authorizing City Manager to request Program Year Change from U.S. Department of H.U.D. (Planning to handle)

CONSENT

23. Consider decreasing the Petty Cash Account in the Parking Fund (60) to the sum of forty and no/100ths (\$40.00) dollars which will supersede Resolution 82-334. (Memorandum with agenda. Resolution decreasing the Petty Cash Account in the Parking Fund needed.)

ACTION: Res. 83-813 adopted decreasing the Petty Cash Account in the Parking Fund. (Finance/P.T. to handle)

CONSENT

24. Re-set date for public hearing to consider proposed issuance by the Industrial Development Authority of the City of Modesto of up to 6.8 million dollars of revenue bonds for Stanislaus Food Products Company. (The date for this hearing is being re-set from December 20, 1983, to December 27, 1983, due to inability to meet legal notification deadlines for the earlier date. Resolution setting public hearing on December 27, 1983, at 7:30 p.m. and rescinding Resolution 83-791 needed.)

ACTION: Res. 83-814 adopted setting hearing. (Clerk to handle)

CONSENT

25. Set date for public hearing to consider proposed issuance of up to 2.5 million dollars of multiple family mortgage revenue bonds. (Resource Development has applied for multiple family mortgage revenue bonds to finance Oak Haven, a 97-unit multiple-family development to be located on Floyd Avenue west of Oakdale Road, P-D(342). Resolution setting public hearing on December 27, 1983 at 7:30 p.m. needed, and resolution approving latter agreement with Jones, Hall, Hill and White to act as bond counsel needed.)

ACTION: Res. 83-815 adopted setting public hearing.  
Res. 83-816 adopted approving agreement with Jones, Hall, Hill and White. (Clerk/Planning to handle)

MISCELLANEOUS

CONSENT

26. Legislation to amend the California Water Code.  
(The City of Modesto is currently responsible for the cost of repairing or replacing any faulty MID water conduits if the line goes across a City street. Staff recommends adoption of a resolution calling for the State Legislature to amend the California Water Code so that private water companies and irrigation districts shall be responsible to repair their damaged lines. Memo with agenda. Resolution calling for the State Legislature to amend the California Water Code needed.)

ACTION: Res. 83-817 adopted calling for the State Legislature to amend the California Water Code.  
(Mgmt. Services to handle)

26. Appointments

None

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

None

ADJOURNMENT

The meeting adjourned at 9:15 p.m.

ATTEST:

  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 20, 1983, AT 4:00 P.M.

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

Absent: Councilmember Sutton

Pledge of allegiance to the Flag

Invocation: Rev. Phil Zimmerman, Big Valley Grace Community Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 6, 9, 10, 11, 12, 13, 14, 15

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

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

1.

### ACKNOWLEDGEMENTS AND PRESENTATIONS

None

### MINUTES

CONSENT

2. Approval of the minutes of the December 13, 1982, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

12/20/83

### HEARINGS

3. Hearing to consider an amendment to Sect. 10-3-9 of the Zoning Map to rezone from R-1 to R-2 property located on the east side of Montevue drive opposite Grand Prix Drive. (Stone Bros.)  
(Continued from City Council meeting of November 22, 1983.)  
Vice Mayor Bright excused due to a conflict of interest.

ACTION: Res. 83-818 adopted (Lang/Patterson, unan., Bright and Sutton absent)  
denying amendment without prejudice. (Clerk/Planning to handle)

### BIDS

#### CONSENT

4. Consider approval of plans and specifications and call for bids for replacing irrigation line at Kansas Avenue and Emerald Avenue.  
(Suggested bid opening: January 10, 1984, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$36,765 (contract \$31,890; engineering \$4,875); funds are budgeted.)

ACTION: Res. 83-819 adopted calling for bids. (Eng. to handle)

#### CONSENT

5. Consider waiving formal bid procedures and authorize the purchase of three daisy-wheel printers and two twin-sheet paper feeders from Wang Laboratories for the total price of \$19,313.50.  
(Memorandum with agenda. Resolution waiving formal bid procedures and authorize the purchase of printers and paper feeders from Wang Laboratories needed. Funds are budgeted.) (Five affirmative votes needed.)

ACTION: Res. 83-820 adopted waiving formal bid procedures. (Finance to handle)

### WRITTEN COMMUNICATIONS

#### CONSENT

- ✓ 6. Letter from Don Bernard resigning from the H.C.D.A. Committees.  
(Resolution accepting resignation with regret needed.)

ACTION: Res. 83-821 adopted accepting resignation with regret. (Clerk to handle)

### MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

8. Determine consistency between the Airport Land Use Commission Plan and zoning in the vicinity of the Airport.  
(The Stanislaus County Airport Land Use Commission has forwarded their findings with respect to planning and zoning consistency with the Airport Land Use Commission (ALUC) Plan. Memo with agenda. Resolution adopting the findings that existing zoning classifications are consistent with the Public Utilities Code needed.) (Five affirmative votes needed.)

ACTION: Res. 83-822 adopted (Whiteside/Muratore, unan., Sutton absent) setting public hearing on January 3, 1983, 4:00 p.m. (Clerk/Planning to handle)

CONSENT

9. Consider approving lease agreement with Clinton and Maxine Ray for the lease of a portion of Well Site #2.  
(This is a one year renewal of an existing lease. The Rays use the area for a garden. They pay the City \$5 per year, pay possessory interest taxes, and maintain the area. Resolution approving agreement needed.)

ACTION: Res. 83-823 adopted approving agreement. (Utility Serv. to handle)

CONSENT

10. Consider approving lease agreement with George Fredrickson and Phillip Bravard for the lease of a portion of Fire Station #5 for a garden site.  
(This is a one year renewal of an existing lease. All terms remain the same. Resolution approving agreement needed.)

ACTION: Res. 83-824 adopted approving agreement. (Utility Serv. to handle)

CONSENT

11. Consider reinstalling parking meters on Parking Lot 2 (9th - I to J).  
(Memo with agenda. The DID has requested that meters be reinstalled on part of this lot - 8 spaces. Resolution establishing municipal off-street parking facilities, providing control thereof, and rescinding Resolution No. 83-464 needed. Estimated cost: \$160; funds are budgeted.)

ACTION: Res. 83-825 adopted establishing municipal off-street parking facilities. (P.T. to handle)

CONSENT

12. Consider acceptance of improvements in Vineyard No. 2 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Bright Development)  
(Vineyard No. 2 subdivision is located north of Standiford Avenue and west of the Tidewater Southern Railway Company right of way. All improvements have been completed to the satisfaction of the Engineering Services Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 83-826 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

13. Consider setting a public hearing on authorizing the filing of a federal transit capital grant application.  
(The public hearing is required to complete the application. The application covers both the proposed Downtown Transportation Center and the new bus maintenance facility. Resolution setting hearing on January 24, 1984, at 7:30 p.m. needed.)

ACTION: Res. 83-827 adopted setting hearing. (Clerk to handle)

CONSENT

14. A resolution authorizing the City to file a claim with S.A.A.G. for \$290,601 of State Transit Assistance Funds available from FY 1982-83.  
(Memo with agenda. Resolution authorizing the City Manager to file an amended Local Transportation Funds claim for 1983-84 with S.A.A.G. needed.)

ACTION: Res. 83-828 adopted authorizing filing of amended claim. (Finance to handle)

CONSENT

15. Authorize City Manager to enter into Agreement of Assignment with Mt. Vernon Investment Group and Central Bank.  
(Memorandum with agenda. Resolution approving agreement needed.)

ACTION: Res. 83-829 adopted approving agreement. (Atty. 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.)

Mayor thanked Councilmember and Mrs. Muratore for the boutonnières.

ADJOURNMENT

The meeting adjourned at 5:00 p.m.

ATTEST: Morrine Coyle  
MORRINE COYLE City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 27, 1983, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

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

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 7, 8, 9, 11, 12, 13.

ACTION: (Whitside/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 December 20, 1983, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle) 12/27/83

3. Hearing to consider amendment to Sec. 12-3-8 of the Zoning Map to rezone from P-D(233) to R-2 and P-D(346), property located on the north side of Rumble Road east from Hahn Drive extended for a convalescent hospital. (Chateau Convalescent Hospital)

ACTION: By motion, (Muratore/Lang, unan.) Ord. No. 2233-C.S. introduced.  
Res. 83-830 adopted (same vote) approving development plan.  
Res. 83-831 adopted (same vote.) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

4. Hearing to consider an amendment to P-D(160), located on each side of Randazzo Avenue north of Evergreen Avenue to allow conversion of existing duplex and triplex units to a stock cooperative. (George Hartman)

ACTION: By motion, (Patterson/Bright, unan.) Ord. No. 2234-C.S. introduced.  
Res. 83-832 adopted (same vote) amending P-D(160).  
(Clerk/Planning to handle)

Meeting adjourned to Industrial Development Authority meeting at 8:05 p.m

5. Hearing to consider issuance by the Industrial Development Authority of revenue bonds in an estimated principal amount of \$6,800,000 to pay the cost of facilities to be located at 12th and "D" Streets and to be used by Stanislaus Food Products Company as a tomato canning plant.  
(At the conclusion of this hearing, the City Council meeting will be adjourned to the Industrial Development Authority meeting of December 27, 1983, for action on issuance of bonds, at the conclusion of which the Council will reconvene to complete business.)

ACTION: Res. 83-833 adopted (Sutton/Muratore, unan.) approving a project for Stanislaus Food Products Company.

By motion, (Patterson/Bright, unan.) staff directed to include in the proper bond documents a clause requiring compliance with the federal laws concerning affirmative action.  
(Plan. & C.D./Atty. to handle)

Reconvened City Council meeting at 8:47 p.m.

6. Hearing to consider issuance of Multi-Family Rental Mortgage Revenue bonds (Oak Haven Project) for the purpose of providing financing to Resource Development Company for the acquisition of land and construction of multi-family rental structure to be located on a parcel on the south side of Floyd Avenue west of Oakdale Road.

ACTION: Res. 83-834 adopted (Whiteside/Patterson, unan.) authorizing the issuance of bonds for the purpose of financing multi-family rental housing project by Resource Development Co.

By motion (same vote) staff directed to include recommendations regarding the 20% and 10% provisions.  
(Plan. & C.D./Atty. to handle)

BIDS

CONSENT

7. Consider award of contract for Herndon Avenue improvements along the east side of Mancini Park - Block 3500.  
(Bids were opened on December 20, 1983. The low bid of \$24,525, submitted by Morrow & Waggoner, Inc., is 5% below the engineer's estimate and considered acceptable. It is, therefore, recommended by the Engineering and Parks Departments that the contract be awarded to them. Resolution awarding contract to Morrow & Waggoner, Inc. needed. Funds are budgeted.)

ACTION: Res. 83-835 adopted awarding contract. (Eng. to handle)

CONSENT

8. Consider award of contract for replacing of an M.I.D. irrigation line across Sylvan Avenue.  
(Bids were opened on December 6, 1983. The low bid of \$13,690, submitted by Stanfield & Moody, Inc., is 28% above the engineer's estimate and considered acceptable. Therefore, it is recommended by the Engineering Department that the contract be awarded to them. Memo and bid tabulation attached. Resolution awarding contract to Stanfield & Moody, Inc. needed. Funds are budgeted.)

ACTION: Res. 83-836 adopted awarding contract. (Eng. to handle)

CONSENT

9. 1) Consider waiving formal bid procedures and authorize the purchase of two copy machines and reconditioning services from the Xerox Corporation for \$12,620.  
2) Consider authorizing the transfer of \$12,949 from the Parks & Recreation Facilities Fund 15 to the Special Capital Outlay Fund 13.  
(Memorandum with agenda. Resolution authorizing purchase needed, and resolution amending 1983-84 annual budget needed; funds are budgeted.) (Five affirmative votes needed.)

ACTION: Res. 83-837 adopted waiving formal bid procedure and authorizing purchase  
Res. 83-838 adopted amending the annual budget. (Finance to handle)

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

Pastor Robert Cowan and Gaylord Boyer of the Seventh Day Adventist Church asked that they not be required to remove their church's signs.

ACTION: By order of the Chair, staff directed to report on the church's sign situation.  
(Plan. & C.D. to handle)

CONSENT

11. Consider County referred Open Space Contract applications:

- a. No. 84-3934 (2 parcels) - Steve or Sue Furnas, 4154 Roselle Avenue
- b. No. 84-3943 (2 parcels) - C. B. Scoto, Jr., southeast corner of Plainview Road and Litt Road

(Staff recommends opposition to the two applications. Map and memo with agenda. Two resolutions opposing contracts needed.)

ACTION: Res. 83-839 adopted protesting open space contract application (Furnas).  
Res. 83-840 adopted protesting open space contract application (Scoto).

(Plan. & C.D. to handle)

CONSENT

12. Consider a Citizens Housing and Community Development Committee recommendation to amend the Program Guidelines of the Housing Maintenance Program.  
(Amend the Program Guidelines of the Housing Maintenance Program to change the terms of the Deferred Payment Loans from non-interest bearing loans to interest-bearing loans at 3% interest per year. Resolution amending the Program Guidelines of the Housing Maintenance Program needed.)

ACTION: Res. 83-841 adopted amending the Program Guidelines of the Housing Maintenance Program.

(Plan. & C.D. to handle)

CONSENT

13. Consider excusing Councilmembers Patterson and Whiteside for being absent from the City Council meeting on December 13, 1983, due to their representing the City at a cablevision meeting.  
(Motion excusing absence needed.)

ACTION: By motion, absence excused.

(Clerk to handle)

14. Consider proposed issuance of up to \$6 million of Multiple Family Mortgage Revenue Bonds for Pan Builders, Inc.  
(Pan Builders, Inc. has applied for MFMRB financing for construction of a 226-unit apartment project on Hatch Road west of Boise Avenue. Memo with agenda. Inducement resolution authorizing the issuance of bonds for the purpose of financing the acquisition and construction of multi-family rental housing facilities by Pan Builders, Inc. needed.)

ACTION: Res. 83-842 adopted (Whiteside/Muratore, unan.) authorizing the issuance of bonds for the purposed of financing multi-family rental housing project by Pan Builders, Inc.)  
Res. 83-843 adopted (same vote) approving agreement with Jones, Hall, Hill and White to act as bond Counsel.  
By motion, (same vote) staff directed to include conditions in the proper bond documents recommendations concerning the 20% and 10% provisions.

(Plan. & C.D./Atty. to handle)

MISCELLANEOUS

15. Appointments

ACTION: Res. 83-844 adopted (Sutton/Lang, unan.) reappointing Carole Davis and John Fleming to Planning Commission; Res. 83-844B adopted (same vote) recommending appointment of Balvino Irizarry to Stanislaus Co. Planning Com., representing Modesto Planning Com.  
Res. 83-845 adopted (same vote) reappointing Charles Harding and Henry Martin to Board of Zoning Adjustment.

Res. 83-846 adopted (same vote) appointing Nick Blom to Seat #3, Bessie Bresciani to Seat #9 and Wanda Melson to Seat #10 of the Citizens Housing & Community Development Committee; John Fleming to Seat #2, David Dill to Seat #3 of the Housing Maintenance & Counseling Subcommittee; William Briggs to Seat #2, Carol Hall Wilson to Seat #3 and Bob Dinubilo to Seat #6 of the Rehabilitation Loan Pool Subcommittee.

Res. 83-847 adopted (same vote) appointing Hector Lozano to the Culture Commission.

Res. 83-848 adopted (same vote) appointing Bill Gardner to the D.I.D.

(Clerk to handle)

16.

MATTERS TOO LATE FOR THE AGENDA

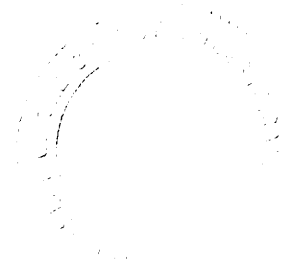
(These may be presented by member of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 9:35 p.m.

ATTEST:

  
*Norrine Coyle*  
NORRINE COYLE, City Clerk