

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 6, 1981 AT 4:00 P.M.

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

Absent: Councilmember Kullijian

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 8, 12, 14, 15, 16

ACTION: Muratore/Lang, unan., Kullijian 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 Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council.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.)

MINUTES

CONSENT

1. Approval of the minutes of the December 23, 1980, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

COMMUNICATIONS

2. Letter from Multi-Cultural Coalition concerning an event honoring Martin Luther King's birthday.

ACTION: By motion (Lang/Siefkin, unan., Kullijian absent) Mayor Mensinger directed to proclaim the week of January 11-17, 1981, as Dr. Martin Luther King Week in Modesto.
(Mgr. to handle)

BIDS

CONSENT

3. Consider approval of plans and specifications and call for bids for the construction of waterline extension in Princeton Avenue.
(Suggested bid opening: January 27, 1981, at 11:00 a.m. The extension of this line will provide new development on Princeton Avenue with water and fire service. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$13,800 (Contract \$11,300; Engineering \$2,500); funds are budgeted.)

ACTION: Res. 81-1 adopted calling for bids.

(P.W. to handle)

CONSENT

4. Consider approval of plans and specifications and call for bids for the construction of waterline extension in Lincoln Oak Drive. (The extension of this line will provide Oakwood Estates subdivision with water and fire service. Suggested bid opening: January 27, 1981, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$15,800 (Contract \$13,800; Engineering \$2,000); funds are budgeted.)

ACTION: Res. 81-2 adopted calling for bids.

(P.W. to handle)

CONSENT

5. Consider acceptance of the contract of Joe Martin Pipeline, Inc. for construction of waterline extension in Floyd Avenue as complete. (Original contract: \$15,385.50) (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$17,147.60; funds are budgeted.)

ACTION: Res. 81-3 adopted accepting as complete.

(Clerk to handle)

CONSENT

6. Consider declaring eight vendors as low responsible bidders and authorize the issuance of eight purchase orders for athletic and recreational equipment. (Memorandum with agenda. Resolution authorizing the issuance of eight purchase orders needed. Estimated cost: \$9,328.21; funds are budgeted.)

ACTION: Res. 81-4 adopted authorizing issuance of purchase orders. (Finance to handle)

CONSENT

7. Consider waiving formal bid procedures and authorize the purchase of one programmable terminal with hand-held wand from NCR Corporation for the total amount of \$8,431.47. (Memorandum with agenda. Resolution waiving formal bid procedures needed. Funds are budgeted.)

ACTION: Res. 81-5 adopted waiving formal bid procedure.

(Finance to handle)

CONSENT

8. Consider acceptance of the contract of Joe Martin Pipeline, Inc. for construction of waterline extension at Pelandale and Dale as complete. (Original contract: \$40,680) (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting the work as complete needed. Final cost: \$45,691.75; funds are budgeted.)

ACTION: Res. 81-6 adopted accepting work as complete.

(Clerk to handle)

HEARINGS

9. Hearing on amendment to Section 7-3-9 of the Zoning Map to rezone from R-2 to P-D(288), property located on San Clemente Avenue, Cheyenne Way, Doheny Way, Shell Court, and Agate Drive to allow condominium conversion (David Earnshaw) No. 1

ACTION: By motion (Siefkin/Bright, unan., Kullijian absent) hearing continued to Tuesday, January 13, 1981, 7:30 p.m., at the request of the applicant.
(Clerk to handle)

Councilmember Elliott left the meeting.

10. Informal hearing concerning rent stabilization No. 2

ACTION: By motion (Siefkin/Muratore, unan., Elliott and Kullijian absent) directed staff to bring this matter back to Council after the Board of Supervisors has taken action.

(Manager to handle)

11. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

Ray Newman asked the City Council to consider an ordinance controlling condominium conversion.
(Planning to handle)

ORDINANCES

CONSENT

12. Consider amendment to Section 7-1.601 of the Modesto Municipal Code which would establish fees to partially finance the construction of the Lakewood-MID Lateral 3 canal crossing.
(The proposed amendment would establish a fee of \$.007 per square foot of the property in the area north of Briggsmore which would be benefitted by the construction of the proposed canal crossing. Memo with agenda. Introduction of an ordinance needed.)

ACTION: By motion, Ord. No. 2008-C.S. introduced, (Clerk to handle)

NEW BUSINESS

13. Consider approval of agreement with Diametrics for the installation of a Cost/Revenue Impact System (CRIS) for the City of Modesto.
(Report with agenda. Resolution approving agreement needed and resolution approving appropriation transfer needed. Estimated cost: \$16,750.)

ACTION: By motion (Lang/Siefkin, unan., Elliott and Kullijian absent) action deferred until staff has an opportunity to respond to questions raised by the building industry.

(Finance to handle)

CONSENT

14. Consider authorizing staff to make contact with Senators and Representatives concerning amendments to the Federal Clean Water Grant Program.
(Recently-adopted legislation amending the Clean Water Grant Program could have significant impact on the City in funding waste treatment plant improvements. If legislation is not modified before November 1, 1981, local funding for waste treatment plant improvements will increase from approximately \$3.5 million to \$10 million. Memo with agenda. Motion authorizing staff to bring our concerns to the attention of our Representatives needed.)

ACTION: By motion, staff directed to bring concerns to the attention of our Representatives

(P.W. to handle)

CONSENT

15. Consider approving lease agreement with Larry D. Gray and Heather L. Gray for lease of apartment at 1815 H Street on old Lincoln School site.
(Lease is a month-to-month agreement at \$250 per month. Resolution approving lease agreement and authorizing City Manager to execute agreement needed.)

ACTION: Res. 81-7 adopted approving agreement.

(P.W. to handle)

CONSENT

16. Consider approval of the final map of Standiford 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: R. T. Hughes Co., Inc.
(The subdivision agreement has been signed and all fees paid. Standiford Plaza is located at the northwest corner of Standiford Avenue and Colonial Drive. It contains 2.129 acres. Resolution approving final map needed.)

ACTION: Res. 81-8 adopted approving final map.

(Clerk to handle)

REPORTS

17. Report on drug paraphernalia ordinances and status of litigation.
(The City Council has requested the City Attorney's office to keep it advised as to the status of the appellate cases relating to drug paraphernalia and to report on the types of local ordinances available to control drug paraphernalia. Motion acknowledging receipt of report or directing staff needed.)

ACTION: By motion (Muratore/Bright, unan., Elliott and Kullijian absent) staff directed to prepare an ordinance for Council consideration. (Attorney to handle)

MISCELLANEOUS

18. Legislation

None

19. Appointments

None

20. Matters too late for the agenda

None

Adjourned at 6:30 p.m. to closed session to discuss a personnel relations matter and possible litigation and did not return to open session.

ATTEST:



NORRINE COYLE, City Clerk



MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 13 1981 AT 7:30 P.M.

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

Absent: Councilmember Kullijian

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 15, 16, 17, 18, 19,
20, 21, 22, 23, 24, 25, 26, 27, 28, 31a

ACTION: Muratore/Siefkin, unan., Kullijian 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.)

MINUTES

CONSENT

1. Approval of the minutes of the January 6, 1981, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

COMMUNICATIONS

2. Request by Rena Metzner for traffic controls on Standiford Avenue at the McHenry Club Apartments.

ACTION: By motion (Muratore/Siefkin, unan., Kullijian absent) staff requested to study the matter and report back on February 10, regarding a left turn lane at Standiford and Columbine; feasibility of 3-way stop signs and a recommendation concerning traffic signals. (P.T. to handle)

3. Appeal by Delta Blood Bank to a Planning Commission decision concerning rezoning property at the corner at East Orangeburg and Melrose Avenue.
(Resolution setting February 3, 1981, 4:00 p.m. hearing needed.)

ACTION: Res. 81-9 adopted setting hearing.

(Clerk to handle)

1/13/81

BIDS

CONSENT

4. Consider award of contract for the Fire Prevention Bureau parking lot. (Bids were opened January 6, 1981. The low bid of \$12,400, submitted by Lee White Paving is 13% above the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department and the Fire Department that the contract be awarded to them. Resolution awarding contract to Lee White Paving needed. Funds are budgeted.)

ACTION: Res. 81-10 adopted awarding contract.

(P.W. to handle)

CONSENT

5. Consider acceptance of Rolfe Construction's contract for construction of water-line extension in Panama Avenue as complete. (Original contract: \$20,110). (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$19,552.10. Funds are budgeted.)

ACTION: Res. 81-11 adopted accepting work as complete.

(Clerk to handle)

CONSENT

6. Consider waiving a minor irregularity in the proposal submitted by Motorola, Inc. and authorize the purchase of fourteen general government mobile radios from the firm for the total price of \$12,989.20. (Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 81-12 adopted authorizing purchase.

(Finance to handle)

CONSENT

7. Consider waiving formal bid procedures and authorize the purchase of two eight inch compound water meters from Hersey Products, Inc. for the total purchase price of \$12,671.24. (Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 81-13 adopted authorizing purchase.

(Finance to handle)

HEARINGS

8. Hearing on amendment to Section 22-3-9 of the Zoning Map to rezone from R-3 to P-0, property located at the northwest corner of Oakdale and Orangeburg. (At the December 9, 1980 meeting, Council indicated its intention to continue this hearing to February 3, 1981.)

No. 1

ACTION: By motion (Elliott/Muratore, unan., Kulljian absent) hearing continued to February 3, 1981. (Clerk to handle)

9. Hearing on amendment to P-D(134) to revise the plot plan and to add a financial institution, property located at the south-east corner of Oakdale and East Orangeburg. (Guarantee Savings and Loan) No. 2

ACTION: By motion (Elliott/Bright, majority, Muratore and Siefkin-no, Kullijian absent) Ord. No. 2009-C.S. introduced.
Res. 81-14 adopted (same vote) approving plan.
Res. 81-15 adopted (same vote) certifying review of environmental assessment.
(Clerk/Planning to handle)

10. Hearing on appeal by Ad Art Signs, Inc. to a decision of the Planning Commission regarding a sign on the southeast corner of Orangeburg and Oakdale Roads. No. 3

ACTION: Appeal withdrawn by Steve Fogarty of Ad Art Signs.
By motion (Muratore/Elliott, unan., Kullijian absent) withdrawal of the appeal acknowledged.

11. Hearing on amendment to Section 27-3-9 of the Zoning Map to rezone from R-1 to R-3 property located on the east side of Brighton Avenue north of Scenic Drive. (Howard G. Bell) No. 4

ACTION: By motion (Muratore/Elliott, unan., Kullijian absent) Ord. No. 2010-C.S. introduced
Res. 81-16 adopted approving plan.
(Clerk/Planning to handle)

12. Hearing on amendment to Section 7-3-9 of the Zoning Map to rezone from R-1 to P-D(292) property located on the northwest corner of Standiford Avenue and Carver Road to conform an existing commercial establishment and to allow erection of commercial signs. (C.W. Brower, Inc.) No. 5

ACTION: By motion (Lang/Elliott, unan., Kullijian absent) hearing continued to February 3, 1981, 4:00 p.m. at the request of a representative of the applicant.
(Clerk to handle)

13. Continued hearing on amendment to Section 7-3-9 of the Zoning Map to rezone from R-2 to P-D(288), property located on San Clemente Avenue, Cheyenne Way, Doheny Way, Shell Court, and Agate Drive to allow condominium conversion (David Earnshaw).
(Continued from the meeting of January 6, 1981.)

No. 6

ACTION: Res. 81-17 adopted (Lang/Elliott, majority, Bright-no, Kullijian absent) denying request without prejudice.

14. Matters for the good of the community.
(These may be presented by interested persons in the audience.)

ACTION: Ray Newman thanked the Mayor for proclaiming the week of January 12-18 as United Cerebral Palsy Week.

ORDINANCES

CONSENT

15. Final adoption of Ord. No. 2008-C.S. relating to construction of canal crossings.
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2008-C.S. adopted. (Clerk to handle)

NEW BUSINESSES

CONSENT

16. Public Projects Committee recommendation on purchase of land for expansion of Empire Senior Elementary School.
(Memo with agenda. Motion directing staff to proceed with preparation of a parcel map and property appraisal, and resolution transferring funds needed. Estimated cost: \$125,000.)

ACTION: By motion, staff directed to proceed with preparation of a parcel map and property appraisal.
Res. 81-18 adopted transferring funds. (Planning/Finance to handle)

CONSENT

17. Consider lease agreement with Quadair, a partnership, for a ground lease on the north side of the airport adjacent to Mitchell Road to be used for construction of a corporate hangar.
(This lease is essentially the same as the Foster Farms, Inc., lease, i.e., 20 year term, \$3,100/acre, improvements to become City's at end of term, etc. The location is suggested by the Airport Master Plan. Resolution approving agreement needed.)

ACTION: Res. 81-19 adopted approving agreement. (P.W. to handle)

CONSENT

18. Consider approving an airport concession agreement with Dennis P. Whipple and Paula B. Whipple, dba Whipple Aviation.
(This is a one year renewal of an existing agreement for a night aerial advertising service. This agreement is for \$25 per month or 2½% of the gross. This agreement is consistent with other airport concession agreements. (This is for the airplane that flies over the city at night with a moving lighted advertising sign under the wing.) Resolution approving agreement needed.)

ACTION: Res. 81-20 adopted approving agreement.

(P.W. to handle)

CONSENT

19. Consider authorizing the City Manager to sign the amended Associate Party Agreement between the City of Modesto and Charter Members and International Telco Services for participation of the City in the Underground Service Alert (U.S.A.) Organization. (The Underground Service Alert program is now administered by International Telco Service Corp. and no longer by Pacific Telephone & Telegraph, necessitating a change in the agreement. This will not affect the cost of the service. Resolution approving agreement needed.)

ACTION: Res. 81-21 adopted approving agreement.

(P.W. to handle)

CONSENT

20. Consider establishing flat-rate water service charges to schools.
(Water service charges to schools are estimated on a flat-rate basis. Since rates were established, the following changes have occurred: Sylvan Union School District has added Sylvan Elementary School to the City water system, and Modesto City Schools has disconnected Frontier High School from the City water system. Two resolutions needed.)

ACTION: Res. 81-22 adopted establishing water service charges for Sylvan Union School District.

Res. 81-23 adopted establishing water service charges for Modesto City Schools.
(P.W. to handle)

CONSENT

21. Consider joining in an amicus curiae brief in the case of Marin v. City of San Rafael.
(Memo with agenda. Motion authorizing joining in amicus curiae brief needed.)

ACTION: By motion, joining amicus curiae brief approved.

(Atty. to handle)

CONSENT

22. Consider withdrawing Scenic-Oakdale No. 2 Annexation from the McHenry-Dry Creek Fire Protection District.
(This addition was annexed to the City of Modesto effective December 30, 1980. Resolution withdrawing Scenic-Oakdale No. 2 Annexation from the McHenry-Dry Creek Fire Protection District needed.)

ACTION: Res. 81-24 adopted withdrawing Scenic-Oakdale No. 2 from the McHenry-Dry Creek Fire Protection District. (Clerk to handle)

CONSENT

23. Consider determining that the public interest and convenience require that Scenic-Oakdale No. 2 Annexation be annexed to Modesto Municipal Sewer District No. 1. (The effective date of this annexation was December 30, 1980. Resolution setting hearing February 24, 1981, at 7:30 p.m. needed.) (Five affirmative votes needed.)

ACTION: Res. 81-25 adopted setting hearing. (Clerk to handle)

CONSENT

24. Consider LAFCO questionnaire regarding the Roselawn No. 2 Governmental Reorganization located at the northwest corner of Roselawn Avenue and Rouse Avenue. (Memo, map and questionnaire with agenda. Resolution approving the LAFCO "City Annexation Questionnaire" needed.)

ACTION: Res. 81-26 adopted approving the LAFCO questionnaire. (Planning to handle)

CONSENT

25. Consider revision to Council Resolution regarding time payments for assessments for curb, gutter, and sidewalk. (The staff has prepared a revision to Council Resolution No. 67-789 regarding time payments for curb, gutter, and sidewalk when City has purchased the right of way where the improvements are installed. Memo with agenda. Adoption of revised resolution required and rescinding Resolution No. 67-789.)

ACTION: Res. 81-27 adopted revising and rescinding Res. No. 67-789. (Finance to handle)

CONSENT

26. Consider declaring an estimated 100 cords of wood located at the McClure House surplus to City needs and authorize the Purchasing Officer to sell the wood for \$40 per cord at a public sale to be held January 31, 1981, at the McClure House. (The surplus wood is a result of tree trimming and removal activities conducted by the Parks and Recreation Tree Division. Resolution declaring wood surplus and authorizing public sale needed.)

ACTION: Res. 81-28 adopted declaring wood surplus and authorizing public sale. (Finance to handle)

REPORTS

CONSENT

27. Urban Growth Policy recommendations from Public Projects Committee.
(Memo with agenda. Resolution setting informal public hearing January 20, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-29 adopted setting hearing.

(Clerk to handle)

CONSENT

28. Presentation of Financial Statement for December, 1980.
(Copies of report will be presented at meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

29. Consider the request of the Stanislaus County Department of Education for financial support for cable TV programming.
(Report with agenda. Motion directing staff needed. Amount requested: \$24,200.)

ACTION: By motion (Siefkin/Bright, unan., Kullijian absent) request denied.

MISCELLANEOUS

30. Legislation

None

31. Appointments

CONSENT

- a. Recommendation from the Planning Commission that Carole Davis be reappointed to the Board of Zoning Adjustment as a representative of the Planning Commission. (On January 5, 1981, the Planning Commission adopted Resolution No. 81-1 recommending to the City Council the reappointment of Carole Davis to the Board of Zoning Adjustment as a representative of the Planning Commission for one year, her term to expire December 31, 1981. Resolution appointing Carole Davis to Board of Zoning Adjustment needed.)

ACTION: Res. 81-30 adopted ^{re-}appointing Carole Davis to Board of Zoning Adjustment.

(Clerk to handle)

b. Other

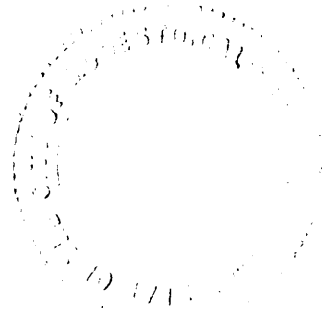
ACTION: Res. 81-31 adopted (Lang/Muratore, unan., Kullijian absent) reappointing Lowell Clark to the Greater Modesto Community Foundation, term to expire 12/31/86.
(Clerk to handle)

32. Matters too late for the agenda.

None

Adjourned at 10:45 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 20, 1981 AT 4:00 P.M.

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

Absent: Councilmember Kullijian

Pledge of allegiance to the Flag

Invocation: Councilmember Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 16,
17, 18, 19, 21, 22, 23

Dropped from agenda: 15

Removed from consent: 24

ACTION: Bright/Siefkin, unan., Kullijian 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.)

MINUTES

CONSENT

1. Approval of the minutes of the January 13, 1981, regular City Council meeting.
(Motion approving needed.)

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

BIDS

CONSENT

2. Consider approving specifications and authorize call for bids to be opened February 10, 1981, at 2:00 p.m. for furnishing high pressure light ballasts and luminaires.
(Requested by the Public Works Electrical Division, the material is required as part of the program to modernize City street lighting by replacing mercury vapor lamps with high-pressure sodium lamps. Resolution authorizing call for bids needed. Estimated Cost: \$8,000. Funds are budgeted.)

ACTION: Res. 81-32 adopted authorizing call for bids. (Finance to handle)

CONSENT

3. Consider approval of plans and specifications and call for bids for the construction of Beyer Community Park - Phase I.
(This park is a partial fulfillment of the recreation and open space element of the City of Modesto General Plan. Funds are budgeted for Option 1. Suggested bid opening date is February 17, 1981 at 11:00 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$653,000 for Option 1 (Constr. \$594,000; Eng. & Contg. \$59,000); \$902,000 for Option 2 (Constr. \$820,000; Eng. & Contg. \$82,000). Funds are budgeted for Option 1.)

ACTION: Res. 81-33 adopted calling for bids. (P.W. to handle)

CONSENT

4. Consider approval of plans and specifications and call for bids for improvement of Standiford Avenue: M.I.D. Lateral No. 7 to Prescott Road.
(Development in the area has required that Standiford Avenue be realigned. The realignment work is being coordinated with improvements of adjacent property. Suggested bid opening date is February 10, 1981 at 11:00 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$36,720 (Constr. \$31,930; Eng. & Contg. \$4,790). Funds are budgeted.)

ACTION: Res. 81-34 adopted calling for bids. (P.W. to handle)

CONSENT

5. Consider approval of plans and specifications and call for bids for the extension of waterline in Dallas Avenue.
(Suggested bid opening: February 10, 1981 at 11:05 a.m. The extension of this main will provide Mountain View Estates Subdivision with water and fire service. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$15,590 (Contract \$13,190; Eng. \$2,400). Funds are budgeted.)

ACTION: Res. 81-35 adopted calling for bids. (P.W. to handle)

CONSENT

6. Consider calling for bids for Dial-A-Ride transit service.
(Memo with agenda. The specifications approved by the City Council on 10/21/80 would be used again. The County would be the lead agency in this joint call for bids. Resolution approving specifications and calling for bids at 2:30 p.m. on 2/4/81 needed. Estimated Cost: \$357,800. Funds are budgeted.)

ACTION: Res. 81-36 adopted calling for bids. (P.T. to handle)

CONSENT

7. Consider award of contract for the construction of waterline extension at Seattle and Spokane.
(Bids were opened January 13, 1981. The low bid of \$24,142.50, submitted by Joe Martin Pipeline, Inc. is 29% 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 Joe Martin Pipeline Inc. needed. Estimated Cost: \$24,142.50. Funds are budgeted.)

ACTION: Res. 81-37 adopted awarding contract.

(P.W. to handle)

CONSENT

8. Consider acceptance of Lee White Paving Company's contract for improvement of Tully Road at Hetch Hetchy right of way as complete. (Original contract: \$18,120).
(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: \$18,624.96. Funds are budgeted.)

ACTION: Res. 81-38 adopted accepting work as complete.

(Clerk to handle)

HEARINGS

9. Hearing to annex Scenic-Coffee Annexation to the Modesto Municipal Sewer District No. 1 No. 1

ACTION: Res. 81-39 adopted (Lang/Muratore, unan., Kullijian absent) annexing the area. (Clerk to handle)

10. Continued hearing on request by garbage companies for rate adjustment in garbage service charges. No. 2
(Continued from the December 2, and December 16, 1980 Council meetings.)

ACTION: By motion (Muratore/Lang, unan., Kullijian absent) committee's report and recommendations approved. (P.W. to handle)

11. Hearing on amendment to Section 12-3-8 of the Zoning Map to rezone from R-2 to P-D(293) to allow a 30-unit 2-story townhouse condominium, property located on the west side of Prescott Road south from Snyder Avenue. No. 3
(P.D.O., Inc.)

ACTION: By motion (Bright/Siefkin, unan., Kullijian absent) Ord. No. 2011-C.S. introduced.

Res. 81-40 adopted (same vote) approving plan.

Res. 81-41 adopted (same vote) certifying review of Environmental Assessment Review. (Clerk/Planning to handle)

12. Informal public hearing concerning Urban Growth Policy recommendations from Public Projects Committee. No. 4
ACTION: A motion (Siefkin/Bright, unan., Kullijian absent) to accept the report and recommendations 1,2,4,5, and 6; and Res. 81-42 adopted (Siefkin/Bright, unan., Kullijian absent) revising the Urban Growth Policy in accordance with recommendation No. 3 was amended by a motion (Lang/Elliott, majority, Siefkin, Mayor Mensinger-no, Kullijian absent) to add the word "available" before the words "vacant and agricultural land", in the second sentence of item 1 under recommendation No. 3. (Planning to handle)
13. Matters for the good of the community.
(These may be presented by interested persons in the audience.)
None

ORDINANCES

14. Final adoption of Ord. No. 2009-C.S., amending P-D(134), property located at the southeast corner of Oakdale and East Orangeburg. (Guarantee Savings and Loan)
(Motion adopting needed.)
ACTION: By motion (Bright/Elliott, majority, Muratore, Siefkin-no, Kullijian absent) Ord. No. 2009-C.S. adopted.
15. Final adoption of Ord. No. 2010-C.S., rezoning from R-1 to R-3, property located on the east side of Brighton Avenue north of Scenic Drive. (Howard Bell)
(Motion adopting needed.)
Dropped from agenda.

NEW BUSINESS

CONSENT

16. Consider resolution authorizing certain officers and employees to have access to State Summary Criminal History Information.
(Memo with agenda. Resolution authorizing certain officers and employees to have access to State Summary Criminal History Information.)
ACTION: Res. 81-43 adopted authorizing access to information. (Mgmt. Services to handle)

CONSENT

17. Consider approval of amendment to agreement with Ed Farmer and Associates, Consulting Engineers and Scientists for the modernization of the domestic water control system.
(The amendment to the agreement will extend the amount of the original contract to cover additional work as defined in paragraph 6(a) of the original agreement. Memo with agenda. Resolution approving amendment to agreement with Ed Farmer needed. Estimated cost: \$19,548.08; funds are budgeted.)

ACTION: Res. 81-44 adopted approving amendment to agreement. (P.W. to handle)

CONSENT

18. Consider the Kansas-Franzia Governmental Reorganization of the City of Modesto. (On December 17, 1980, LAFCO approved the Kansas-Franzia Governmental Reorganization. The governmental reorganization would include annexation to the City, detachment from the Woodland Fire District and annexation to the Modesto Municipal Sewer District No. 1. LAFCO has authorized the Council to proceed without notice, hearing or election. LAFCO Resolution, E. A. and map with agenda. Resolution ordering the Kansas-Franzia Governmental Reorganization to the City of Modesto and certifying review of environmental impact needed.)

ACTION: Res. 81-45 adopted ordering the Kansas-Franzia Governmental Reorganization to the City of Modesto. (Clerk/Planning to handle)

CONSENT

19. Set date for informal public hearing to consider an amendment to the Subdivision Regulations pertaining to lot line adjustments.
(On January 5, 1981, the Planning Commission adopted Resolution 81-15 recommending to the Council that Section 4-4.506 of the Municipal Code pertaining to lot line adjustments be amended. It is recommended that an informal public hearing be set. Resolution setting informal hearing February 3, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-46 adopted setting hearing. (Clerk to handle)

20. Consider Rotary Club's proposal to construct a pavillion at Graceada Park.
(Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Siefkin/Muratore, unan., Kullijian absent) directed staff to continue working with the Rotary Club on Soderstrom pavillion. (P.R. to handle)

CONSENT

21. Request from Vidcon/American Home Video Corporation for refund of overpayment of business license tax.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 81-47 adopted approving refund. (Finance to handle)

CONSENT

22. Requirement for construction of curbs and/or sidewalks at the locations listed below. (80/05/01 - 80/07/02)
(Informal requests were sent to the property owners over 30 days ago. As the work has not been done, it is recommended that a resolution be adopted instructing the Superintendent of Streets to give notices. Resolution setting hearing February 24, 1981 at 7:30 p.m. needed.)

- a. Curb & sidewalk at 1332 Sunrise Ave., Lots 18 & 19 of Block 1140
(Mike G. Stavrakakis)
- b. Curb & sidewalk at 1305 Sunrise Ave., a portion of Block 1139
(Karl E. Wellman)
- c. Sidewalk along Sunrise Ave. at 1200 Sunrise Ave., Lot 7 of Block 1122
(Yucker & Moore)
- d. Curb & sidewalk along Corson Ave. at 201 Corson Ave., Lot 9 of Block 655
(William H. Amend)
- e. Curb & sidewalk at 158 Corson Ave., a portion of Block 651
(Denny Brooks)
- f. Curb & sidewalk at 126 Corson Ave., a portion of Block 651
(Jon Camp)
- g. Curb & sidewalk at 209 Corson Ave., Lot 11 of Block 655
(Jerry J. Duff)
- h. Curb & sidewalk at 130 Corson Ave., a portion of Block 651
(William H. Heagerty)
- i. Curb & sidewalk at 215 Corson Ave., Lot 13 of Block 655
(G.R. Kuykendall)
- j. Curb & sidewalk at 136 Corson Ave., a portion of Block 651
(Hazel B. Oaks)
- k. Sidewalk along W. Roseburg Ave. at 1129 Amherst Ave., a portion of Block 842
(John R. Ertel)

ACTION: Res. 81-48 adopted setting hearing. (Clerk to handle)

CONSENT

23. Consider authorizing City Manager to execute standard agreement with State of California Housing and Community Development by which the City of Modesto will receive \$50,000 to be loaned as 3% deferred payment loans. Said loans will supplement the Community Development Block Grant Program. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 81-49 adopted approving agreement. (Planning to handle)

REPORTS

24. Public Project Committee's review of Mayor's Housing Charge.
(Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion (Elliott/Bright, unan., Kullijian absent) receipt of report acknowledged.

MISCELLANEOUS

25. Legislation

None

26. Appointments

None

27. Matters too late for the agenda

None

Adjourned at 5:35 p.m.

ATTEST:


NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 27, 1981 AT 7:30 P.M.

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

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Councilmember Thomas Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 4, 8, 9, 10, 11, 12, 14, 15, 16,
18

Dropped from Agenda: 17

-ACTION: Lang/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.)

ACKNOWLEDGEMENTS

Acting Mayor Siefkin introduced John deBoer, Farm-City Advisory Committee, and announced that Camp Fire Girls will be conducting a fund-raising candy sale from January 30, to February 22, 1981.

MINUTES

CONSENT

1. Approval of the minutes of the January 20, 1981, regular City Council meeting.
(Motion approving needed.)

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

UNFINISHED BUSINESS

2. Consider supplemental report from police regarding the closing of Maynell Avenue and reaffirm or reconsider the closure resolution.
(Some residents of the area are opposed to the closure. Memorandum with agenda.)

ACTION: By motion (Elliott/Kullijian, unan., Mayor absent) Council rescinded its previous action and determined that Maynell would not be closed.

3. Consider reinstating items deleted from 11th Street garage construction. (Memo with agenda. The Council may want to reconsider the deletion from the contract of several nonessential but desirable items. Funds are available as the reserves for contingencies during construction were not needed. Motion directing staff to negotiate prices to reinstate some or all of the deleted items needed. Estimated cost: \$48,500; funds are budgeted.)

ACTION: By motion (Elliott/Bright, unan., Mayor Mensinger absent) staff directed to negotiate prices for doing each of the four items and report back to Council for a final decision. (P.T. to handle)

CONSENT

4. Final adoption of:

- a. Ord. No. 2010-C.S. rezoning from R-1 to R-3, property located on the east side of Brighton Avenue north of Scenic Drive. (Howard Bell)
- b. Ord. No. 2011-C.S., rezoning from R-2 to P-D(293) property on the west side of Prescott Road south of Snyder Avenue, to allow a 30-unit, 2-story condominium. (P.D.O., Inc.)

(Motion adopting needed.)

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

HEARINGS

5. Hearing on the proposed Housing Element of the Modesto Urban Area. No. 1

ACTION: Res. 81-50 adopted (Bright/Lang, unan., Mayor Mensinger absent) Housing Element approved. (Planning to handle)
By motion (Elliott/Kullijian, unan., Mayor Mensinger absent) staff directed to study the possibility of a Citizens' Energy Advisory Committee. (Mgr. to handle)

6. Informal hearing on staff report "A Locational Analysis for a Downtown Transportation Center." No. 2

ACTION: By motion (Elliott/Lang, unan., Mayor Mensinger absent) site #4 as described in staff report was designated as the preference for the Transportation Center. (Planning/P.T. to handle)

7. Hearing on amendment to Section 8-3-9 of the Zoning Map to rezone from R-3 to P-D(294) to allow conversion of existing apartments to condominiums and construction of additional condominiums, property located on the south side of Standiford, east of Colonial Drive. (Duane Huff)

No. 3

ACTION: By motion (Lang/Bright, unan., Mayor absent) Council indicated its intention to approve conversion of the existing apartments to condominiums.

By motion (Lang/Bright, unan., Mayor absent) hearing continued to February 10, 1981, 7:30 p.m. (Clerk to handle)

BIDS

CONSENT

8. Consider calling for bids for Oakdale Road/Wylie Drive traffic signals. (Memo with agenda. Resolution approving plans and specifications and authorizing a call for bids on March 3, 1981, at 11:00 a.m. needed. Estimated cost: \$50,000; funds are budgeted.)

ACTION: Res. 81-51 adopted calling for bids. (P.T. to handle)

CONSENT

9. Consider amending Resolution 81-4 to award purchase orders in the following amounts: Athletic Supply of California - \$4,485.47; Valley Sporting Goods - \$2,163.97. (Memorandum with agenda. Resolution amending Resolution 81-4 needed. Estimated cost: \$323.30 additional; funds are budgeted.)

ACTION: Res. 81-52 adopted amending Res. No. 81-4. (Finance to handle)

CONSENT

10. Consider declaring H. V. Carter low bidder meeting City specifications and authorizing the purchase of one lawn sweeper from the firm for the total price of \$6,298.84 including tax. (Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 81-53 adopted authorizing purchase. (Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

11. Report from Modesto Chamber of Commerce for the October-December 1980 quarter.
(Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

12. Request by Harlan E. Smith, Trophy Chairman of the annual Modesto Camellia Show, for the City to again participate by donating a trophy.
(Motion approving request needed.)

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

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

CONSENT

14. Consider approving lease agreement with Robert L. Hoover for lease of the former Mangnuson house located on future Tuolumne River Regional Park.
(This is a month-to-month tenancy beginning January 29, 1981. Agreement is for \$295 per month plus a security deposit. Lessee also pays taxes and utilities. Resolution approving agreement needed.)

ACTION: Res. 81-54 adopted approving agreement. (P.W. to handle)

CONSENT

15. Consider acceptance of improvements in Wyldeewood Estates No. 6 subdivision as complete and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Edward G. & Virginia Lee Wylie)
(Wyldeewood Estates No. 6 subdivision is located west of Oakdale Road and south of Orangeburg 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. 81-55 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

16. Set informal hearing to consider "offset" zero lot line projects.
(Resolution setting informal hearing February 3, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-56 adopted setting hearing.

(Clerk to handle)

CONSENT

17. Report on PGandE application 60153 for gas rate increase.
(Memo with agenda. The increase in 1982 would average 9.8%. The 1983 increase would average an additional 3.6%. Motion acknowledging receipt of the report needed.)

DROPPED FROM AGENDA.

CONSENT

18. Presentation of Four Year Operating Budget Revenue and Expenditure Forecast 1980-81 to 1983-84.
(Copies of the forecast with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion receipt of Forecast acknowledged.

MISCELLANEOUS

19. Legislation

None

20. Appointments

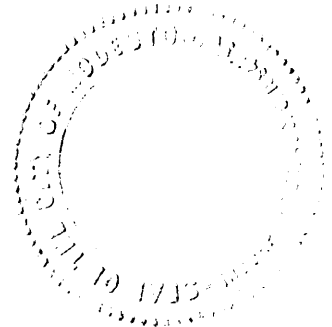
None

21. Other

None

22.

MATTERS TOO LATE FOR THE AGENDA



ADJOURNMENT

Adjourned at 10:40 p.m.

ATTEST:

Norrine Coyle

NORRINE COYLE City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 3, 1981 AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore,
Siefkin, Mayor Mensinger
Councilmember Kullijian arrived at 4:01 p.m.
Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Howard Clarke, Second Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: ^{1a} Items 1, 7, 9, 10, 11, 12, 14, 15, 16, 17,
18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28,
29, 30, 31, 32

ACTION: (Muratore/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.)

ACKNOWLEDGEMENTS

None

MINUTES

CONSENT

1. Approval of the minutes of the January 27, 1981, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes were approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

- 1a. Consider the introduction of an ordinance pertaining to the sale of drug paraphernalia requiring the exclusion of minors from places where drug paraphernalia is offered for sale.
(Memo with agenda. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 2012 - C.S. introduced.

(Clerk to handle)

HEARINGS

2. Continued hearing on amendment to Section 22-3-9 of the Zoning Map to rezone from R-3 to P-0, property located at the northwest corner of Oakdale and Orangeburg. (Michael P. Zagaris)
(Continued from January 13, 1981, Council meeting.)

No. 1

ACTION: By motion (Kullijian/Bright, unan.) Ord. 2013-C.S. introduced amending Section 22-3-9 of the Zoning Map.

Res. 81-57 adopted (same vote) certifying review of Environmental Assessment Review.
(Clerk/Planning to handle)

3. Continued hearing on amendment to Section 7-3-9 of the Zoning Map to rezone from R-1 to P-D(292) property located on the northwest corner of Standiford Avenue and Carver Road to conform an existing commercial establishment and to allow erection of commercial signs. (C.W. Brower, Inc.) (Continued from the January 13, 1981, Council meeting.)

No. 2

ACTION: By motion (Siefkin/Muratore, unan.) hearing continued to February 17, 1981, 4:00 p.m., to allow staff and applicant to redesign parking and planted area.
(Planning to handle)

4. Hearing on appeal by Delta Blood Bank to a Planning Commission decision concerning rezoning property at the corner at East Orangeburg and Melrose Avenue.

No. 3

ACTION: Res. 81-58 adopted (Siefkin/Muratore, majority, Elliott, Kullijian and Mayor Mensinger - no) denying the application.

5. Informal public hearing to consider an amendment to the Sub-division Regulations pertaining to lot line adjustment.

No. 4

ACTION: By motion (Muratore/Siefkin, unan.) Ord. No. 2014-C.S. introduced amending Code.
(Clerk to handle)

Councilmember Siefkin left the meeting at 6:15 p.m.

6. Informal hearing to consider "offset" zero lot line projects.

No. 5

ACTION: By motion (Kullijian/Lang, unan.) hearing continued to February 17, 1981, to allow further study by staff and Construction Industries Liaison Committee.
(Planning to handle)

BIDS

CONSENT

7. Consider approving plans and specifications and calling for bids on Interim Bus Terminal site work.
(Memo with agenda. This contract would remove the building at 9th and I Streets and would prepare the site to accept bus shelters to be installed under a separate contract. Resolution approving plans and specifications and calling for bids to be opened on March 27, 1981 at 1:45 p.m. needed. Estimated Cost: \$30,000. Funds are budgeted.)

ACTION: Res. 81-59 adopted calling for bids. (P.T. to handle)

8. Consider award of contract for the construction of waterline extension in Princeton Avenue.
(Bids were opened January 27, 1981. The low bid of \$11,160, submitted by W. Gale Fisher, Inc. is 1% 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 W. Gale Fisher, Inc. needed. Funds are budgeted.)

ACTION: Res. 81-60 adopted (Lang/Bright, unan., Siefkin absent) awarding contract. (P.W. to handle)

CONSENT

9. Consider award of contract for the construction of waterline extension in Lincoln Oak Drive.
(Bids were opened on January 27, 1981. The low bid of \$12,470, submitted by W. Gale Fisher, Inc. is 10% 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 W. Gale Fisher, Inc. needed. Funds are budgeted.)

ACTION: Res. 81-61 adopted awarding contract. (P.W. to handle)

CONSENT

10. Consider acceptance of Ferrero Electric's contract for street light modernization, Brighton Avenue as complete. (Original contract: \$5,540.)
(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: \$5,451.60. Funds are budgeted.)

ACTION: Res. 81-62 adopted accepting work as complete. (Clerk to handle)

CONSENT

11. Consider calling for bids for three super-sized bus patron shelters. (Memo with agenda. The three shelters will serve as the 9th and I Street interim terminal project. Resolution approving the specification/contract documents and calling for bids at 2:00 p.m. on March 27, 1981 needed. Estimated cost: \$19,080; funds are budgeted.)

ACTION: Res. 81-63 adopted calling for bids. (P.T. to handle)

CONSENT

12. Consider approving specifications and authorizing call for bids to be opened on February 24, 1981, at 2:00 p.m. for furnishing five compact sedans, two light utility trucks; two 3/4 ton pickups, and one aerial lift van. (Requested by the Public Works Service Division, the equipment will be permanently assigned to various departments. Revenue for the Service Division Fund is derived from equipment rental charges made to the departments using the equipment. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$81,571; funds are budgeted.)

ACTION: Res. 81-64 adopted calling for bids. (Finance to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

CONSENT

14. Consider approval of the final map of Shasta Meadows 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: Joaquin Construction Co., Inc. (The subdivision agreement has been signed and all fees paid. Shasta Meadows is located north of Torrid Avenue between Shasta Avenue and Carpenter Road. It contains 11.35 acres. Resolution approving final map needed.)

ACTION: Res. 81-65 adopted approving final map. (Clerk to handle)

CONSENT

15. Consider approval of the final map of the Amended Map of The Orchards - Unit One 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: Orchards Associates.
(The subdivision agreement has been signed and all fees paid. The Amended Map of the Orchards - Unit One subdivision is located on the northeast side of Sisk Road, northwesterly from the Vintage Faire shopping center. It contains 9.886 acres. Resolution approving final map needed.)

ACTION: Res. 81-66 adopted approving final map.

(Clerk to handle)

CONSENT

16. Consider approval of the final map of Longbridge Estates subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Gregory L. and Karen D. Ellis)
(The subdivision agreement has been signed and all fees paid. Longbridge Estates is located east of Longbridge Drive and north of the Hetch Hetchy right of way. It contains 1.986 acres. Resolution approving final map needed.)

ACTION: Res. 81-67 adopted approving final map.

(Clerk to handle)

CONSENT

17. Consider acceptance of improvements in Oakwood Park subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: J.W.J. Development.
(Oakwood Park subdivision is located on the south side of Pelendale Avenue, west of Dale Road. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid, and a cash deposit has been posted with the City Clerk. Letter of agreement with agenda. Resolution accepting improvements as complete needed.)

ACTION: Res. 81-68 adopted accepting improvements as complete.

(Clerk to handle)

CONSENT

18. Consider changing on-street time limit at El Viejo Post Office.
(Memo with agenda. Time limit is 30 minutes on both 12th and I streets frontages. DMA and DID requested the 30-minute, but now want the 12-minute limit returned. (Motion approving staff recommendation to return to 12-minute parking limit needed. Estimated cost: \$30; funds are budgeted.)

ACTION: By motion, staff recommendation approved.

(P.T. to handle)

CONSENT

19. Consider Youth Commission's request for the sponsorship of one Youth Commissioner to the Junior Statesman Symposium Program.
(Memo with agenda. Motion referring request to the regular budget process for the coming fiscal year needed. Estimated cost: \$265.)

ACTION: By motion, request referred to budget session. (Finance to handle)

CONSENT

20. Consider request for water service to property outside City limits at 1943 Crows Landing Road, located on the west side of Crows Landing Road between Imperial Avenue and Glenn Avenue. Owners: William P. Strickland and Arthur C. Sharp.
(The property owners have signed an agreement to annex when requested to do so by City and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 81-69 adopted approving agreement. (P.W. to handle)

CONSENT

21. Consider supplement No. 15 to the existing Local Agency-State agreement.
(This agreement provides for the widening of Needham Street from P to 9th Street at a total project cost of \$296,200. This includes \$153,200 for right of way and \$143,000 for construction. The Federal funds provided for in the agreement amount to \$250,218. The required local matching funds are \$45,982. Resolution authorizing City Manager to execute agreement needed. Estimated cost: \$143,000 to be included in 1981-82 budget.)

ACTION: Res. 81-70 adopted authorizing City Manager to execute agreement.
(P.W. to handle)

CONSENT

22. Consider approving agreement with Modesto Tallow Company regarding a public waterline easement on their property.
(The City has had a waterline and fire hydrant on the Modesto Tallow property for some time. The hydrant is to serve the Modesto Tallow property. Modesto Tallow recently built a building over the waterline. This agreement outlines what will occur should the line ever fail or should the line have to be moved. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 81-71 adopted approving agreement. (P.W. to handle)

CONSENT

23. Consider approval of contract with the State Department of Rehabilitation for reimbursement for City staff services, Housing Needs Assessment for the Disabled.

(The State Department of Rehabilitation wishes to develop a Housing Needs Assessment for the Disabled, using Modesto as a model. The State is willing to reimburse the City of Modesto up to \$6,000 for staff time committed to the study--approximately 4 to 8 hours per week average, February 1, 1981 to October 1, 1981. Memo with agenda. Resolution approving contract with the State Department of Rehabilitation needed.)

ACTION: Res. 81-72 adopted approving contract.

(Planning to handle)

CONSENT

24. Consider approving lease agreement with Robert Neugebauer for the lease of 5± acres of land (future Orchard Neighborhood Park).
(Lease is for a one year term. Lessee has agreed to pay \$300 per year plus taxes and water. Lease expires 12-31-81. Resolution approving agreement needed.)

ACTION: Res. 81-73 adopted approving agreement.

(P.W. to handle)

CONSENT

25. Consider approving lease agreement with Virginia C. Torres for the lease of a City-owned residence at 117 Elm Street (future corporation yard expansion site).
(Agreement is for month-to-month at \$235 per month. Lessee also pays utilities and taxes. Lessee was a tenant of the City's grantor. Resolution approving agreement needed.)

ACTION: Res. 81-74 adopted approving agreement.

(P.W. to handle)

CONSENT

26. Consider approving lease agreement with Gem Investors, Inc., dba Golden Gate Airlines, for rent of 225± square feet of additional area in terminal building.
(Agreement is for month-to-month rental of additional terminal area which has been vacant for some time. Rental is \$197 per month which is consistent with other rents in the terminal building. Resolution approving agreement needed.)

ACTION: Res. 81-75 adopted approving agreement.

(P.W. to handle)

CONSENT

27. Consider approving lease agreement with Arnold W. and Marilyn Romey for lease of the former Zakarian house located on future Airport Neighborhood Park site.
(This is a lease renewal. Old lease was for \$335 per month. New lease is for three years at \$360 per month the first year, \$385 per month the second year, and \$410 per month the third year. Lessee also pays taxes and utilities. Marilyn Romey is a City employee and has been for three years. Resolution approving agreement needed.)

ACTION: Res. 81-76 adopted approving agreement.

(P.W. to handle)

CONSENT

28. Consider setting public hearing to consider grant application for nine buses and related equipment.
(Memo with agenda. A public hearing on this matter is necessary to complete the grant application. Resolution setting the hearing for 4:00 p.m. on March 17, 1981 needed. Estimated cost: \$1,700,000. Buses will not be bought until 1983.)

ACTION: Res. 81-77 adopted setting hearing.

(Clerk to handle)

CONSENT

29. Recommend to City Council an amendment to Section 29-3-9 of the Zoning Map - Commission initiated.
(On January 19, 1981, the Planning Commission adopted Resolution 81-27 recommending to the City Council an amendment to Section 29-3-9 of the Zoning Map to rezone from C-1 to C-2, property located in the Downtown area, south of Needham Avenue, north-west of J Street. Resolution setting public hearing March 3, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-78 adopted setting hearing.

(Clerk to handle)

CONSENT

30. Recommend to Council an amendment to Section 9-3-9 of the Zoning Map - Grand Prix Group.
(On January 19, 1981, the Planning Commission adopted Resolution 81-25 recommending to the Council an amendment to Section 9-3-9 of the Zoning Map to rezone from R-2 to P-D(295) property located on the southwest corner of Coffee and Grand Prix to allow conversion of existing apartments to condominiums. Resolution setting public hearing on February 24, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-79 adopted setting hearing.

(Clerk to handle)

CONSENT

31. Recommend to City Council an amendment to Sections 10-2.1904, 10-2.2504, and 10-2.3503 of the Zoning Regulations pertaining to transfer of Zoning Inspection to Planning Department.
(On January 19, 1981, the Planning Commission adopted Resolution 81-34 recommending to the City Council an amendment to Sections 10-2.1904, 10-2.2504, and 10-2.3503 of the Zoning Regulations pertaining to transfer of Zoning Inspection from Public Works Department to Planning and Community Development Department. Resolution setting public hearing on February 17, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-80 adopted setting hearing.

(Clerk to handle)

CONSENT

32. Recommend to City Council an amendment to Section 23-3-9 of the Zoning Map - Horn Construction.
(On January 19, 1981, the Planning Commission adopted Resolution No. 81-30 recommending to the City Council an amendment to Section 23-3-9 of the Zoning Map to rezone from R-3 to P-0 property located at the southwest corner of Lakewood and Briggsmore. Resolution setting public hearing on February 24, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-81 adopted setting hearing.

(Clerk to handle)

MISCELLANEOUS

33. Legislation

None

34. Appointments

None

35. Other

None

- 36.

MATTERS TOO LATE FOR THE AGENDA

None

CLOSED SESSION

37. Closed session to consider pending litigation.

ADJOURNMENT

Adjourned at 6:40 p.m. to closed session and did not return to open session.

ATTEST: 
NORRINE COYLE City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 10, 1981 AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, 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 1, 2, 5, 6, 7, 10, 11, 12, 13,
15, 16, 17, 18, 20, 22, 23, 24
Dropped from agenda: 8, 19, 21
Removed from Consent: 9

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

MINUTES

CONSENT

1. Approval of the minutes of the February 3, 1981, regular City Council meeting.
(Motion approving needed.)

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

UNFINISHED BUSINESS

CONSENT

2. Final adoption of:

- a. Ord. No. 2012-C.S. pertaining to sale of drug paraphernalia, requiring the exclusion of minors from places where drug paraphernalia is sold.
- b. Ord. No. 2013-C.S. rezoning from R-3 to P-0 property located at the northwest corner of Oakdale and Orangeburg Avenue. (Michael P. Zagaris)
- c. Ord. No. 2014-C.S. relating to lot line adjustments.
(Motion adopting needed.)

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

3. Report on traffic matters on Standiford Avenue in the vicinity of Columbine Drive.
(Report with agenda. A 3-way stop, left-turn lanes, and traffic signals are all considered. Motion accepting report or directing the staff needed.)

ACTION: By motion (Elliott/Siefkin, unan.) staff directed to prepare plans to eliminate parking on the north side of Standiford east of the tracks, past the church; reroute the bike lane and eliminate it on the south side in this area; install a left turn lane; install a crosswalk at the Tidewater tracks; and see about getting the unpaved area paved. Council also asked staff to see what can be done about speeding on Standiford.
(Mgr./P.T./Police to handle)

4. Continued hearing on amendment to Section 8-3-9 of the Zoning Map to rezone from R-3 to P-D(294) to allow conversion of existing apartments to condominiums and construction of additional condominiums, property located on the south side of Standiford, east of Colonial Drive. (Duane Huff) (Continued from Council meeting of January 27, 1981.)

(By motion, Council has indicated its intention to approve conversion of the existing apartments to condominiums.)

Mayor Mensinger excused since she was absent when the hearing was held on 1/27/81.

ACTION: By motion (Lang/Bright, unan., Mayor Mensinger absent) Ord. 2015-C.S. introduced.
Res. 81-82 adopted (same vote) approving plan.
Res. 81-83 adopted (same vote) certifying review of Environmental Impact Report.
(Clerk/Planning to handle)

BIDS

CONSENT

5. Consider approving specifications and authorize call for bids to be opened March 3, 1981, at 2:00 p.m. for furnishing towing service for City government vehicles. (The towing service will be performed on City vehicles; primarily Service Division pool equipment such as Police patrol cars, buses, garden refuse trucks, etc. Resolution authorizing call for bids needed. Estimated Cost: \$5,000. Funds are budgeted.)

ACTION: Res. 81-84 adopted authorizing call for bids. (Finance to handle)

CONSENT

6. Consider changing the bid opening date for Beyer Community Park Phase I. The current bid opening date is February 17, 1981 at 11:00 a.m. Proposed bid opening date would be February 24, 1981 at 11:00 a.m. (The reasons for the proposed change are: 1) the day before bid opening is a holiday and that could cause problems with getting bids in on time; 2) there are other local bid openings which could affect the bids; and 3) there was a delay in getting the plans and specifications issued. Resolution approving change in bid opening date needed.)

ACTION: Res. 81-85 adopted approving change in bid opening date. (P.W. to handle)

CONSENT

7. 1) Consider declaring Reed Equipment Company sole bidder on Item II and authorize the purchase of one 40 hp diesel industrial tractor from the firm for the total purchase price of \$11,254.52 including trade-in. 2) Consider approving specifications and authorize bids to be opened March 10, 1981, at 2:00 p.m. for furnishing one 58 hp diesel industrial tractor. (Memorandum with agenda. 1) Resolution authorizing purchase needed; and 2) resolution approving specifications and authorizing call for bids needed. Funds are budgeted.)

ACTION: Res. 81-86 adopted authorizing purchase.
Res. 81-87 adopted authorizing call for bids. (Finance to handle)

CONSENT

8. 1) Consider amending Resolution 80-985 to exclude six computer terminals and authorize the Purchasing Officer to cancel the balance of the order with the Burroughs Corporation (value \$18,952.16); 2) Consider approving specifications and authorize call for bids to be opened March 10, 1981, at 2:15 p.m. for furnishing six computer terminals.
(Memorandum with agenda. Resolution amending resolution and authorizing cancellation of equipment and approving specifications and authorizing call for bids needed. Funds are budgeted.)

Dropped from agenda.

9. Consider acceptance of George Reed, Inc's contract to perform "I" Street Improvement Project as complete. (Original contract: \$121,877.75).
(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: \$127,238.31. Funds are budgeted.)

ACTION: Res. 81-88 adopted (Lang/Bright, unan.) accepting work as complete.
Public Works and Planning & Community Development Departments to follow up with D.I.D
(Clerk to handle)

CONSENT

10. Consider authorization of extension of Purchase Order to C.P. Construction for \$559.62 of additional work required for the installation of an underground service for the sewer monitoring station at Hosmer and 9th Street.
(The sewer monitoring station monitors the sewage from Ceres to the City of Modesto. The original purchase order included the cost of an aerial electrical service. At the request of the adjoining property owner the electric service was changed to an underground service. The additional costs reflect this change. Resolution authorizing extension of Purchase Order needed. Funds are budgeted.)

ACTION: Res. 81-89 adopted authorizing extension of Purchase Order. (P.W. to handle)

CONSENT

11. Consider authorizing the purchase of services to appraise a 5-acre parcel of land needed for the Empire Senior Elementary addition utilizing the lot tax fund as previously authorized.
(Mr. R.W. Arnold, M.A.I. of Arnold Associates of Merced has agreed to do this appraisal which includes an analysis of the irrigation system and an in depth study of the potential of this uniquely located property for \$4,000. Resolution authorizing the purchase of a service needed. Funds are budgeted.)

ACTION: Res. 81-90 adopted authorizing the purchase of a service. (P.W. to handle)

CONSENT

12. Consider waiving formal bid procedures and authorize the purchase of 26 Police patrol cars from the California State Department of General Services for the total purchase price of \$222,931.40.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 81-91 adopted waiving formal bid procedures and authorizing purchase.
(Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

13. Appeal by Sidney Rogers of Scenic Nursery to a decision of the Planning Commission concerning rezoning of property on the north side of Scenic east of Coffee Road. (Resolution setting hearing March 3, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-92 adopted setting hearing.

(Clerk to handle)

14.

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

None

NEW BUSINESS

CONSENT

15. Consider approving lease agreement with Tracy Crane and Eva Crane for lease of apartment at 1815 H Street on old Lincoln School site. (Lease is a month-to-month agreement at \$200 per month. Lessee also pays taxes and utilities. Resolution approving agreement needed.)

ACTION: Res. 81-93 adopted approving agreement.

(P.W. to handle)

CONSENT

16. Consider lease agreement with Ben C. Turner and Joyce Turner for a month-to-month agreement for Kings Bench Restaurant and Lounge. (The existing five year lease agreement with the Turners expires February 9, 1981. This is a month-to-month renewal at the same rental rate (\$675 per month) with a 60-day termination clause. This will allow the Turners to remain until a final determination is made for the use of the building. Resolution approving agreement needed.)

ACTION: Res. 81-94 adopted approving agreement.

(P.W. to handle)

CONSENT

17. Consider approving a one-year renewal of an airport concession agreement with United Courier, Inc. (United Courier, Inc., has a courier service. This agreement is for a monthly fee of \$25 and a parking space fee of \$25 per month. This agreement is consistent with similar agreements at the airport. Resolution approving agreement needed.)

ACTION: Res. 81-95 adopted approving agreement.

(P.W. to handle)

CONSENT

18. Consider deeding access rights to allow an additional driveway onto Coffee Road from property at the southwest corner of Coffee Road and Briggsmore Avenue. (The Council recently approved an additional driveway onto Coffee Road for a service station to be constructed on this property. It is desirable for the City to reconvey access rights previously deeded to the City. Memo with agenda. Resolution authorizing City Manager to execute deed for access rights needed.)

ACTION: Res. 81-96 adopted authorizing City Manager to execute deed. (P.W. to handle)

CONSENT

19. Consider setting Hearing of Necessity to acquire Tax Strategy - Fara Estates, LTD, property for Fire Station Site No. 9 and a new well site. (Staff has been negotiating for some time to acquire the required property. So far negotiations have not been successful. Staff recommends holding the Hearing of Necessity to acquire the property by condemnation. Resolution setting hearing on March 3, 1981, at 4:00 p.m. needed. Estimated cost: \$61,750; funds are budgeted.)

Dropped from agenda.

CONSENT

20. Recommend an amendment to Section 10-2.225.1 of the Zoning Regulations relating to Family Amusement Machine Centers (Bob Erickson). (On February 2, 1981, the Planning Commission adopted Resolution 81-40 recommending to the Council an amendment to Section 10-2.225.1 of the Zoning Regulations relating to Family Amusement Machine Centers and a revision to the Family Amusement Machine Center Policy. Resolution setting public hearing on March 3, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-97 adopted setting hearing. (Clerk to handle)

CONSENT

21. Consider abandonment of Public Utility Easements in Blocks 13363 and 13367. (Memo with agenda. Resolution vacating and abandoning public utility easements in Blocks 13363 and 13367 needed.)

Dropped from agenda.

CONSENT

22. Consider approval of the final map and acceptance of the improvements in Persian Terrace No. 3 subdivision of the City of Modesto. Subdividers: U.S. By-Products, Inc. (All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. A subdivision agreement is not needed as the improvements are completed. Persian Terrace No. 3 is located north of Floyd Avenue and east of Pridmore Avenue. It contains 1.885 acres. Resolution approving final map and accepting the improvements needed.)

ACTION: Res. 81-98 adopted approving final map. (Clerk to handle)

CONSENT

23. Letter from DID terminating Commuter Bus Pass Program.
(Report with agenda. Program is to be ended February 28, 1981. Program involved DID paying half the bus fares of downtown workers. Motion authorizing the termination of the program needed.)

ACTION: By motion, Council authorized to terminate the program.

CONSENT

24. Consider incorporating provisions of City-County tax allocation agreement for Northumberland Drive Governmental Reorganization.
(This Governmental Reorganization has more than 12 registered voters and under the City-County agreement the City has the option of negotiating the allocation of taxes independently. Incorporation of the agreement provisions is recommended. Memo with agenda. Resolution incorporating provisions of agreement needed.)

ACTION: Res. 81-99 adopted incorporating provisions of agreement. (Planning/Finance to handle)

MISCELLANEOUS

25. Legislation

None

26. Appointments

ACTION: Res. 81-100 adopted (Siefkin/Muratore, unan.) reappointing Paul LaVine and Robert Taro to the Farm-City Advisory Committee, terms to expire 5/1/84.

Res. 81-101 adopted (Siefkin/Muratore, unan.) appointing Balvino Irizarry of the Planning Commission, to the Housing Maintenance and Counseling Subcommittee, term to expire 6/30/83.

27. MATTERS TOO LATE FOR THE AGENDA

None

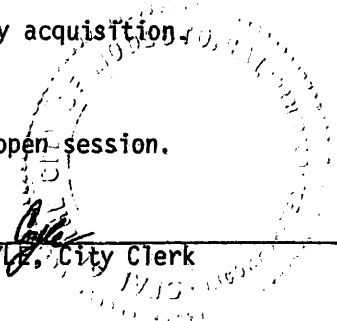
CLOSED SESSION

28. Closed session to consider possible litigation and property acquisition.

ADJOURNMENT

Adjourned at 9:15 p.m. to closed session and did not return to open session.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



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

Absent: None

Pledge of allegiance to the Flag

Invocation: Councilmember Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, ^{4a}8, 9, 10, 11, 12, 13, 14, 15, 18, 19, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33

Dropped from Agenda: 16, 17, 21

ACTION: (Kullijian/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

None

PRESENTATIONS

2. Presentation of plaques to Fleeta Raines for service on the Planning Commission and Ronald V. (Bud) Stone for service on the Culture Commission.

Mayor Mensinger presented "Distinguished Service" plaques to Fleeta Raines and Bud Stone.

MINUTES

CONSENT

3. Approval of the minutes of the February 10, 1981, regular City Council meeting. (Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

4. Consider request for resolution acknowledging the existence of the Mobilehome Mediation Board.

(The Mobilehome Mediation Board was created by resolution of the Stanislaus County Board of Supervisors to deal with mobilehome park complaints. The Board of Supervisors has requested the City Council to acknowledge the Mobilehome Mediation Board and authorize the Board to function within the Modesto City limits. (Memo with agenda. Resolution acknowledging the existence of the Mobilehome Mediation Board and authorizing the Board to function within the Modesto City limits needed.)

ACTION: Res. 81-102 adopted (Lang/Kullijian, unan.) acknowledging existence of

the Mobilehome Mediation Board and authorizing Board to function within the Modesto City limits.

(Mgr. to handle)

CONSENT

- 4a. Final adoption of Ord. No. 2015-C.S. to rezone from R-3 to P-D(294) to allow a condominium conversion and construction of additional condominiums on the south side of Standiford east of Colonial Drive. (Duane Huff)
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2015-C.S. adopted. (Clerk to handle)

HEARINGS

5. Continued hearing on amendment to Section 7-3-9 of the Zoning Map to rezone from R-1 to P-D(292) property located on the northwest corner of Standiford Avenue and Carver Road to conform an existing commercial establishment and to allow erection of commercial signs. (C. W. Brower, Inc.)
(Continued from the February 3, 1981, Council meeting.) No. 1

ACTION: A motion to approve the plan with one driveway from Standiford Avenue on the west end of the property, and 5 foot planters, died for lack of a second.
By motion (Lang/Kullijian, Majority, Muratore, Siefkin, Mayor Mensinger - no) Ord. No. 2016-C.S. introduced approving plan with 2 driveways from Standiford, with the east driveway to be entrance only, with 5 foot planters, and other conditions recommended by the Planning Commission.
Res. 81-103 adopted (same vote) approving plan.
Res. 81-104 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

6. Continued informal hearing to consider "offset" zero lot line projects. No. 2
(Continued from February 3, 1981, Council meeting.)

ACTION: By motion (Bright/Kullijian, unan.) this matter referred back to staff.
(Planning/P.W. to handle)

7. Hearing to consider amendment to Sections 10-2.1904, 10-2.2504, and 10-2.3503 of the Zoning Regulations pertaining to transfer of Zoning Inspection to Planning Department. No. 3

ACTION: By motion, Ord. No. 2017-C.S. introduced. (Siefkin/Muratore, unan.)

BIDS

CONSENT

8. Consider approving specifications and authorize call for bids to be opened on March 10, 1981, at 2:05 p.m. to furnish one microfilm duplicator for Management Services.

(Requested by the Management Services Office Services Division, the equipment will be used to duplicate existing microfilm data. The duplicator will not replace any equipment presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$13,774.70; funds are budgeted.)

ACTION: Res. 81-105 adopted calling for bids.

(Finance to handle)

CONSENT

9. Consider approving specifications and authorize call for bids to be opened March 17, 1981, at 2:00 p.m. for furnishing one 8" compound water meter.

(Requested by the Public Works Water Division, the meter will be placed into service at Ninth and Carver for property under development by William Sweeley. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$6,100; funds are budgeted.)

ACTION: Res. 81-106 adopted calling for bids.

(Finance to handle)

CONSENT

10. Consider approval of plans and specifications for the construction of waterline extension in Scenic Bend.

(Suggested bid opening: March 10, 1981, at 11:15 a.m. Resolution approving plans and specifications and call for bids needed. \$7,086 (\$5,586 Contract; \$1,500 Eng.); funds are budgeted.)

ACTION: Res. 81-107 adopted calling for bids.

(P.W. to handle)

CONSENT

11. Consider approval of plans and specifications and call for bids for residential alley reconstruction No. 8.

(Four residential alleys have deteriorated badly and are in need of repair. The alleys are located: (1) between Princeton Avenue and Yale Avenue; and Mills Avenue and Columbia Way (2) between Mt. Vernon Drive and Joni Avenue; and Fay Avenue and Catherine Everett School (3) between McHenry Avenue and Kirkwood Avenue; and Northgate Drive and Leveland Lane (4) between Monte Cristo Avenue and Hawthorne Avenue; and Monte Verde Avenue and Monte Carlo Avenue. Suggested bid opening: March 10, 1981 at 11:00 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$30,800 (\$28,000 Contract; \$2,800 Eng.); funds are budgeted.)

ACTION: Res. 81-108 adopted calling for bids.

(P.W. to handle)

CONSENT

12. Consider approval of plans and specifications and call for bids for the installation of water automation instrumentation and control work.
(Suggested bid opening: March 10, 1981 at 11:05 a.m. Resolution approving plans and specifications and call for bids needed, and resolution approving appropriation transfer needed. Estimated cost: \$30,000 (\$28,000 Construction; \$2,000 Eng.; funds are partially budgeted.)

ACTION: Res. 81-109 adopted calling for bids.

Res. 81-110 adopted approving appropriation transfer. (P.W./Finance to handle)

CONSENT

13. Consider approval of plans and specifications for the construction of water automation control building.
(Suggested bid opening: March 10, 1981, at 11:10 a.m. Resolution approving plans and specifications and call for bids needed, and resolution approving appropriation transfer needed. Estimated cost: \$65,000 (\$60,000 Construction; \$5,000 Eng.; Funds are partially budgeted.)

ACTION: Res. 81-111 adopted calling for bids.

Res. 81-112 adopted approving appropriation transfer. (P.W./Finance to handle)

CONSENT

14. Consider award of contract for improvement of Standiford Avenue: MID Lateral No. 7 to Prescott Road. Bids were opened February 10, 1981, and the low bid of \$22,464, submitted by Lee White Paving Co., is 31% below the engineer's estimate and is considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded them. Resolution awarding contract to Lee White Paving needed. Estimated cost: \$27,254 (\$22,464 Contract; \$4,790 Eng.); funds are budgeted.)

ACTION: Res. 81-113 adopted awarding contract.

(P.W. to handle)

CONSENT

15. Consider award of contract for the extension of waterlines in Dallas Avenue.
(Bids were opened on February 10, 1981. The low bid of \$13,251, submitted by Superior Pipeline, Inc., is 0.5% above 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 Superior Pipeline, Inc. needed. Estimated cost: \$13,251; funds are budgeted.)

ACTION: Res. 81-114 adopted awarding contract.

(P.W. to handle)

CONSENT

16. Consider awarding Dial-A-Ride contract to Red Top Taxi.
(Memo with agenda. Red Top has submitted a low bid of \$16.07 per vehicle service hour for the Dial-A-Ride system. Resolution awarding contract to Red Top Taxi needed. Estimated cost: \$354,000; funds will be included in 1981-82 budget.)

Dropped from agenda.

CONSENT

17. Consider waiving formal bid procedures for the duration of the 80/81 Fiscal Year and authorize the purchase of bulk gas from Texaco, Inc., and bulk diesel from Union Oil.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase of gas and diesel fuels needed. Estimated cost, Feb. - June, 1981: \$270,386; funds are budgeted.)

Dropped from agenda.

CONSENT

18. Consider waiving formal bid procedures for reconstruction a 10-foot strip on Blue Gum Avenue between Carpenter Road and Pritchard Avenue.
(Flintkote is under contract with a developer to reconstruct the southerly 30 feet of Blue Gum Avenue. The existing road grade will be lowered by as much as two feet. Construction of the City project concurrent with the developer's project will minimize both the safety hazard and the traffic disruption. Memo with agenda. Resolution waiving formal bid procedures needed. Estimated cost: \$25,000 (Const. \$23,500; Eng. \$1,500; funds are budgeted.)

ACTION: Res. 81-115 adopted waiving formal bid procedure. (P.W. to handle)

WRITTEN COMMUNICATIONS

CONSENT

19. Letter from Mid-Valley Engineering, Inc. appealing an Environmental Review Committee decision concerning P-D(166), Sisk and Vintage Faire. (R. T. Hughes Co.)
(Resolution setting hearing March 3, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-116 adopted setting hearing. (Clerk to handle)

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

None

NEW BUSINESS

CONSENT

21. Consider authorizing the City Manager to sign a new vending service contract with Canteen Corporation for vending machines maintained in various City locations.
(Based on a review of other vending services available and Canteen's continued good service, it is proposed to renew City's contract with Canteen. The contract will superseded Canteen's contract dated April 5, 1976. Resolution approving new contract needed.)

Dropped from agenda.

CONSENT

22. Presentation of Financial Statement for January, 1981.
(Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

23. Presentation of Midyear Budget Report including proposed adjustments to the 1980-81 Budget.
(Report with agenda. Resolution amending the 1980-81 Budget needed.)

ACTION: Res. 81-117 adopted amending the 1980-81 budget. (Finance to handle)

CONSENT

24. Consider approving agreement with Tax Strategy - Fara Estates Limited to acquire two lots on Fara Biundo Drive. Property is needed for proposed Fire Station No. 9 and a new well site.
(Tax Strategy - Fara Estates Limited have agreed to sell the required property for \$67,500. This includes all off-site improvements. This purchase price is consistent with the City's appraisal of the property. Resolution approving agreement needed. Estimated total cost: \$69,000 (\$67,500 cost; \$1,500 est. escrow); funds are budgeted.)

ACTION: Res. 81-118 adopted approving agreement. (P.W. to handle)

CONSENT

25. Consider approval of the final map of Jason Park subdivision of the City of Modesto. The subdivision is a conversion of an apartment complex to condominiums and no agreement is required. Subdividers: Jalt Investment Company.
(All fees have been paid for this condominium conversion. Jason Park is located at the southeastern corner of El Vecino Avenue and Lucern Avenue. It contains 1.87 acres. Resolution approving final map needed.)

ACTION: Res. 81-119 adopted approving final map. (Clerk to handle)

CONSENT

26. Consider amendment to Position Classification Plan and Salary Plan - Police, Clerical and Maintenance Classes.
(Memorandum with agenda. Resolution amending position classification plan needed and resolution amending salary plan needed.)

ACTION: Res. 81-120 adopted amending position classification plan.

Res. 81-121 adopted amending salary plan. (Management Services to handle)

CONSENT

27. Report of Superintendent of Streets on the cost of installation of curb and sidewalk along Franklin Avenue at 325 Maze Boulevard. (Mary Bianco - \$1,910) (A clerical error was made involving this property. A different property was originally billed, but that assessment has been removed. We will attach a letter of explanation to the notice of cost to the property owner. This will be the first correspondence to Mrs. Bianco except for the notice to construct and a notice of cost which was posted at the subject property. A member of the staff has reviewed this matter with Mrs. Bianco's daughter so that she understands what happened. Resolution setting hearing on March 24, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-122 adopted setting hearing. (Clerk to handle)

CONSENT

28. Consider authorizing application for third year funding of the Juvenile Community Service Officer Grant.
(Memo with agenda. Resolution authorizing application needed.)

ACTION: Res. 81-123 adopted authorizing application. (Police to handle)

CONSENT

29. Consider adoption of resolution approving LAFCO Questionnaire pertaining to the Houser Lane No. 1 Governmental Reorganization.
(The Houser Lane No. 1 Governmental Reorganization consists of .909 acre located on the north side of Houser Lane west of Panama Avenue. Memo, maps and questionnaire with agenda. Resolution approving LAFCO Questionnaire needed.)

ACTION: Res. 81-124 adopted approving LAFCO Questionnaire. (Planning to handle)

CONSENT

30. Recommend to the Council an amendment to Section 22-3-9 of the Zoning Map - Tom MacDonald.
(On February 2, 1981, the Planning Commission adopted Resolution 81-45 recommending to the Council an amendment to Section 22-3-9 of the Zoning Map to rezone from P-0 to P-D(296) property located on the east side of Coffee north of E. Coolidge to allow conversion of an office complex to condominium. Resolution setting hearing March 10, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-125 adopted setting hearing. (Clerk to handle)

CONSENT

31. Recommend to Council an amendment to the Zoning Ordinance to add Section 10-2.2703.1 relating to condominiums.
(On February 2, 1981, the Planning Commission adopted Resolution 81-47 recommending to the City Council an amendment to the Zoning Ordinance to add Section 10-2.2703.1 relating to condominiums. Resolution setting public hearing March 10, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-126 adopted setting hearing. (Clerk to handle)

CONSENT

32. Recommend to Council an amendment to P-D(60), Calvin Bright, Lew & Associates. (On February 2, 1981, the Planning Commission adopted Resolution No. 81-42 recommending to the Council an amendment to P-D(60), property located between Miller and Haddon Avenues west of North Riverside Drive to allow condo conversion of 96-unit apartment project. Resolution setting public hearing March 10, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-127 adopted setting hearing.

(Clerk to handle)

CONSENT

33. Consider approving application for United California Bank Foundation grant. (Memo with agenda. Resolution approving grant application needed.)

ACTION: Res. 81-128 adopted approving grant application.

(P.R. to handle)

MISCELLANEOUS

34. Legislation

None

35. Appointments

None

36. Other

None

37.

MATTERS TOO LATE FOR THE AGENDA

None

ADJOURNMENT

The meeting adjourned at 6:20 p.m.

ATTEST: _____

NORRINE COYNE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 24, 1981 AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Kullijian, Lang, Muratore,
Siefkin, Mayor Mensinger
Councilmember Siefkin arrived at 8:05 p.m.

Absent: None

Pledge of allegiance to the Flag

Invocation: Councilmember Thomas Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 12, 13, 14, 16, 17,
18, 19, 20, 22

Removed from consent: 4

Dropped from agenda: 11, 21

ACTION: (Lang/Kullijian, unan., Siefkin 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

Madelyn Amarel presented a gift to Councilmember Kullijian in appreciation for his work as a Councilmember and activities in the community. Milton Mickelson expressed appreciation to Councilmember Kullijian on behalf of the Senior Citizens.

MINUTES

CONSENT

2. Approval of the minutes of the February 17, 1981, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Report from Senior Activity Center Committee.
(The City/County Senior Activity Center Committee has been meeting to discuss the establishment of a Multi-Service Center for Senior Citizens. The report is with agenda. Motion approving recommendations needed.)

ACTION: By motion (Kullijian/Muratore, unan., Siefkin absent) recommendations approved.
(P.R. to handle)

4. Consider reinstating and adding items to the Eleventh Street parking garage contract.

(Memo with agenda. The Council previously authorized staff to seek cost data. Funds are available in the project's contingency reserve. Resolution authorizing City Manager to execute contract change order needed. Estimated cost: \$53,274)

ACTION: Res. 81-129 adopted (Bright/Elliott, unan.) authorizing change orders for items 2, 3, 4, A and B.

By motion (Bright/Elliott, unan.) staff directed to obtain quotations on items C and D. (P.T. to handle)

5. Final adoption of Ord. No. 2016-C.S. rezoning from R-1 to P-D(292) property on the northwest corner of Standiford and Carver to conform an existing commercial establishment and allow commercial signs (C. W. Brower, Inc.). (Motion adopting needed.)

ACTION: By motion (Lang/Kullijian, majority, Muratore, Siefkin, Mayor Mensinger - no) Ord. No. 2016-C.S. adopted. (Clerk to handle)

CONSENT

6. Final adoption of Ord. No. 2017-C.S. to amend the Modesto Municipal Code to reflect transfer of Zoning Inspection to Planning Department. (Motion adopting needed.)

ACTION: By motion, Ord. No. 2017-C.S. adopted. (Clerk to handle)

HEARINGS

7. Hearing to consider determining that the public interest and convenience require that Scenic-Oakdale No. 2 Annexation be annexed to Modesto Municipal Sewer District No. 1. No. 1

ACTION: Res. 81-130 adopted (Siefkin/Elliott, unan.) annexing to sewer district. (Clerk to handle)

8. Hearing regarding requirement to construct curb and sidewalk at the following locations: No. 2

a. Curb & sidewalk at 1332 Sunrise Ave., Lots 18 & 19 of Block 1140 (Mike G. Stavarakakis)

b. Curb & sidewalk at 1305 Sunrise Ave., a portion of Block 1139 (Karl E. Wellman)

- d. Curb & sidewalk along Corson Ave. at 201 Corson Ave., Lot 9 of Block 655
(William H. Amend)

- e. Curb & sidewalk at 158 Corson Ave., a portion of Block 651
(Denny Brooks)

- f. Curb & sidewalk at 126 Corson Ave., a portion of Block 651
(Jon Camp)

- g. Curb & sidewalk at 209 Corson Ave., Lot 11 of Block 655
(Jerry J. Duff)

- h. Curb & sidewalk at 130 Corson Ave., a portion of Block 651
(William H. Heagerty)

- i. Curb & sidewalk at 215 Corson Ave., Lot 13 of Block 655
(G. R. Kuykendall)

- j. Curb & sidewalk at 136 Corson Ave., a portion of Block 651
(Hazel B. Oaks)

- k. Sidewalk along W. Roseburg Ave. at 1129 Amherst Ave., a portion of Block 842
(John R. Ertel)

DROP FROM AGENDA

ACTION: Res. 81-131 adopted (Muratore/Elliott, unan.) requiring construction of
curb and sidewalk at various locations. (P. W. to handle)

9. Hearing to consider amendment to Sec. 9-3-9 of the Zoning Map to rezone from R-2 to P-D(295) property located on the southwest corner of Coffee and Grand Prix to allow conversion of existing apartments to condominiums. (Grand Prix Group)

No. 3

ACTION: By motion (Kullijian/Muratore, unan.) Ord. No. 2018-C.S. introduced.

Res. 81-132 adopted (same vote) approving development plan. (Clerk to handle)

10. Hearing to consider an amendment to Section 23-3-9 of Zoning Map to rezone from R-3 to P-0 property located at the southwest corner of Lakewood and Briggsmore. (Horn Construction)

No. 4

ACTION: By motion (Bright/Elliott, unan.) Ord. No. 2019-C.S. introduced.

Res. 81-133 adopted (same vote) certifying review of environmental assessment. (Clerk to handle)

BIDS

CONSENT

11. Consider awarding Dial-A-Ride contract to Red Top Taxi. (Memo with agenda. Red Top has submitted a low bid of \$16.07 per vehicle service hour for the Dial-A-Ride system. Resolution awarding contract to Red Top Taxi needed. Estimated cost: \$354,000; funds will be included in 1981-82 budget.)

DROPPED FROM AGENDA

CONSENT

12. Consider declaring two vendors as low responsible bidders and authorize the issuance of two purchase orders for high pressure light ballasts and luminaires. (Memorandum with agenda. One resolution authorizing the issuance of two purchase orders needed. Estimated cost: \$10,225.38; funds are budgeted.)

ACTION: Res. 81-134 adopted authorizing the issuance of two purchase orders.

(Finance to handle)

CONSENT

13. Consider waiving formal bid procedures for the duration of the 80/81 Fiscal Year and authorize the purchase of gas and diesel from the suppliers of record or any other source available in the event of restricted supplies. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase of gas and diesel fuels needed. (Five affirmative votes needed.) Estimated cost, Feb. - June '81: \$270,386; funds are budgeted.)

ACTION: Res. 81-135 adopted waiving formal bid procedure.

(Finance to handle)

CONSENT

14. Consider acceptance of Wayne Fregien's contract for repiping of Carver-Scott lift station as complete. (Original contract: \$27,148)
(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. Cost: \$27,148; funds are budgeted.)

ACTION: Res. 81-136 adopted accepting work as complete. (Clerk to handle)

15.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Madalyn Amarel asked about the dial-a-ride service.

NEW BUSINESS

CONSENT

16. Consider adoption of the "Hazardous Materials Spills and Incidents Joint Contingency Plan" of Stanislaus County and cities within the County.
(Memo with agenda. Resolution adopting County Plan needed.)

ACTION: Res. 81-137 adopted, adopting County Plan . (Fire to handle)

CONSENT

17. Consider approving new grant contract with Caltrans for \$11,250.
(Memo with agenda. The grant covers 25% of the estimated \$45,000 cost for plans, specifications and engineering work on the Downtown Transportation Center project. This agreement supersedes earlier agreement. Resolution approving new grant contract needed. Funds are budgeted.)

ACTION: Res. 81-138 adopted approving new grant contract. (P.T. to handle)

CONSENT

18. Recommend to Council the vacation and abandonment of the 10-foot alley in Block 603 located south of East Morris Avenue, west of John Muir Court.
(On January 19, 1981, the Planning Commission adopted Resolution 81-29 recommending to the City Council the vacation and abandonment of the 10-foot alley in Block 603 located south of East Morris Avenue, west of John Muir Court. Resolution setting hearing March 24, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-139 adopted setting hearing. (Clerk to handle)

CONSENT

19. Recommend to City Council the vacation and abandonment of the 6-foot public walkway in Blocks 6113 and 6114 between Glenwood and Pearl Street.
(On January 19, 1981, the Planning Commission adopted Resolution 81-28 recommending to the City Council the vacation and abandonment of the 6-foot public walkway in Blocks 6113 and 6114 between Glenwood Drive and Pearl Street. Resolution setting public hearing March 24, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-140 adopted setting hearing.

(Clerk to handle)

CONSENT

20. Set date for informal public hearing to consider adoption of a Zoning and Development Plan for the Bret Harte and portion of the Fairview Neighborhoods.
(On February 17, 1981, the Planning Commission adopted Resolution 81-53 recommending a Neighborhood Zoning and Development Plan for the Bret Harte and portion of the Fairview Neighborhoods. Resolution setting informal public hearing on March 10, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-141 adopted setting hearing.

(Clerk to handle)

CONSENT

21. Public liability insurance renewal (expiration date March 1, 1981).
(Memo with agenda. Resolution authorizing purchase of public liability insurance effective March 1, 1981 needed. Funds are budgeted.)

DROPPED FROM AGENDA

CONSENT

22. Consider application for funds under the Wells Fargo Gamefield Program.
This grant (\$3,000) would be used toward the purchase of a Conversation Pace Gamefield, an outdoor walking fitness trail for seniors.
(Memo with agenda. Resolution approving application for grant funds needed.
Estimated Cost: \$3,000 to match grant. Funds are budgeted.)

ACTION: Res. 81-142 adopted approving application.

(P.R. to handle)

MISCELLANEOUS

23. Legislation

None

24. Appointments

ACTION: Res. 81-143 adopted (Lang/Muratore, unan.) appointing Evelyn Randolph to the Neighborhood Advisory Committee #2, term to expire 10/23/85.

25. Other

None

26.

~~MATTERS TOO LATE FOR THE AGENDA~~

a. Review of Dry Creek Park development

ACTION: Res. 81-144 adopted (Siefkin/Elliott, unan.) affirming intention of City Council to hold public hearings regarding development of Dry Creek Park.

Adjourned at 8:55 p.m.

ATTEST:

Norrine Coyle

NORRINE COYLE, City Clerk



MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 3, 1981 AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Leroy Egenberger, Doctors' Hospital Chaplain

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2,3a, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33
Dropped from consent: 3b

ACTION: (Muratore/Lang, unan.)

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

1. ACKNOWLEDGEMENTS

Councilmember Lang introduced Sherry Baxter, Modesto High School student.

MINUTES

CONSENT

2. Approval of the minutes of the February 24, 1981, 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. 2018-C.S. to rezone from R-2 to P-D(295) property at Coffee Road and Grand Prix to allow conversion of apartments to condominiums (Grand Prix Group).

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

b. Ord. No. 2019-C.S. to rezone from R-3 to P-0 property at Lakewood and Briggsmore (Horn Construction).

(Motion adopting needed.) Mayor Mensinger excused due to a conflict of interest.
ACTION: By motion (Muratore/Elliott, unan., Mayor Mensinger absent) ordinance adopted. (Clerk to handle)

HEARINGS

4. Hearing to consider an amendment to Section 29-3-9 of the Zoning Map to rezone from C-1 to C-2, property located in the Downtown area, south of Needham Avenue, northwest of J Street. (Commission initiated) No. 1

ACTION: By motion (Siefkin/Bright, unan.) Ord. 2020-C.S. introduced.
Res. 81-145 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

5. Hearing, appeal of Sidney Rogers, Scenic Nursery, to a decision of the Planning Commission concerning rezoning of property on the north side of Scenic east of Coffee Road. No. 2

ACTION: By motion (Siefkin/Muratore, unan.) hearing continued to March 10, 1981, to allow the appellant to discuss options with the Planning Department.
(Clerk to handle)

6. Hearing to consider amendment to Section 10-2.225.1 of the Zoning Regulations relating to Family Amusement Machine Centers. (Bob Erickson) No. 3

ACTION: By motion (Muratore/Lang, unan.) Ord. 2021-C.S. introduced.
Res. 81-146 adopted (same vote) amending policy. (Clerk/Planning to handle)

7. Hearing on appeal by Mid-Valley Engineering, Inc. to an Environmental Review Committee decision concerning P-D(166), Sisk and Vintage Drive (R.T. Hughes Co.) No. 4

ACTION: Res. 81-147 adopted (Siefkin/Lang, majority, Kullijian-no) appeal denied and E.I.R. required.
(Clerk to handle)

BIDS

CONSENT

8. Consider rejecting all bids received December 23, 1980, for plastic can liners; consider approving new specifications and authorize call for bids to be opened March 24, 1981, at 2:00 p.m., for furnishing plastic can liners. (Memorandum with agenda. Resolution rejecting bids and authorizing new call for bids needed. Estimated Cost: \$8,000. Funds are budgeted.)

ACTION: Res. 81-148 adopted rejecting bids and authorizing new call for bids.

(Finance to handle)

9. Consider awarding Dial-A-Ride contract to Storer Transportation. (Memo with agenda. It has been determined that Storer's bid price for this 2-year contract is the lowest due to Red Top Taxi withdrawing their bid. Resolution awarding the DAR contract to Storer Transportation and authorizing its execution by the City Manager needed. Estimated Cost: \$466,400/year. Funds are budgeted.)

ACTION: Res. 81-149 adopted (Muratore/Siefkin, unan.) awarding bid to Storer. (P.T. to handle)

CONSENT

10. Consider award of contract for Beyer Community Park construction - Phase I (Bids were opened February 24, 1981, and the low bid of \$509,030 submitted by George Reed, Inc. for option 2 is 38% below the Engineers' estimate and is considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Resolution awarding the contract to George Reed, Inc. needed. Estimated Cost: \$591,030 (Constr. \$509,030; Eng. & Contg. \$82,000) Funds are budgeted.)

ACTION: Res. 81-150 adopted awarding contract to George Reed, Inc. (P.W. to handle)

WRITTEN COMMUNICATIONS

CONSENT

11. Letter from Parking Lot Attendants regarding their rate of pay. (Motion referring to staff for recommendation needed.)

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

CONSENT

12. Letter from Carole Hill resigning from the Neighborhood Advisory Committee No. 2. (Resolution accepting resignation with regret needed.)

ACTION: Res. 81-151 adopted accepting resignation with regret. (Clerk to handle)

CONSENT

13. Letter from Robert Cardoza appealing a decision of the Planning Commission regarding rezoning from R-2 to P-D for an apartment complex on Sunnyside south of Lucern. (Resolution setting hearing March 24, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-152 adopted setting hearing. (Clerk to handle)

CONSENT

14. Request from Downtown Improvement District for permission to hold a sidewalk sale on March 11 through 14, 1981.
(Motion approving request needed.)

ACTION: By motion, request approved.

(Planning to handle)

14A.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

CONSENT

15. Consider special events insurance policy.
(Memo with agenda. Motion approving staff recommendation needed. Estimated cost: \$1,500; funds are budgeted.)

ACTION: By motion, recommendation approved.

(Management Services to handle)

CONSENT

16. Consider approving an agreement with Louis, John and Fred Varni for the trade of the City's Old Corporation Yard property to the Varni's in exchange for the south half of Block 437.
(The Varnis will give their property (the south half of Block 437) to the City in exchange for the City's Old Corporation Yard property. Both properties have been appraised. The Varni's will pay the City \$6,500, which is the difference between the two properties' appraised values. Memo with agenda. Resolution approving agreement needed. Estimated escrow costs: \$2,000; funds are budgeted.)

ACTION: Res. 81-153 adopted approving agreement.

(P.W. to handle)

CONSENT

17. Consider acceptance of improvements in Chenault Estates subdivision and authorize the City Clerk to file the Notice of Completion and release bonds upon expiration of statutory periods. (Subdivider: John H. and Creeobell Chenault)
(Chenault Estates subdivision is located on the north side of Griswold Avenue west of McHenry 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. 81-154 adopted accepting improvements as complete.

(Clerk to handle)

CONSENT

23. Letter of agreement with Modesto City Firefighters Association.
(Memo with agenda. Resolution approving agreement needed. Estimated cost:
\$11,000; funds are budgeted.)

ACTION: Res. 81-160 adopted approving agreement. (Mgmt. Services to handle)

CONSENT

24. Recommend to City Council an amendment to Sections 10-2.3507 and 10-2.3510 of the Zoning Regulations.
(On February 17, 1981, the Planning Commission adopted Resolution No. 81-60 recommending to the Council an amendment to Sections 10-2.3507 and 10-2.3510 of the Zoning Regulations pertaining to service station motor fuel price signs. Resolution setting public hearing on March 24, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-161 adopted setting hearing. (Clerk to handle)

CONSENT

25. Recommend to Council an amendment to Section 31-3-9 of the Zoning Map - Joaquin Construction.
(On February 17, 1981, the Planning Commission adopted Resolution 81-55 recommending to the Council an amendment to Section 31-3-9 of the Zoning Map to rezone from R-1 to P-D(297), property located on the northeast corner of Carpenter Road and Houser Lane to allow a single-family small lot garden home subdivision. Resolution setting public hearing on March 24, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-162 adopted setting hearing. (Clerk to handle)

CONSENT

26. Recommend to Council an amendment to Section 8-4-9 of the Zoning Map - Whitmore Plaza Associates.
(On February 17, 1981, the Planning Commission adopted Resolution 81-57 recommending to the Council an amendment to Section 8-4-9 of the Zoning Map to rezone from R-1 to P-D(299) property located on the north side of Whitmore Avenue west of Crows Landing Road to allow a combination garden home and zero lot line patio home subdivision. Resolution setting public hearing on April 7, 1981, 4:00 p.m. needed.)

ACTION: Res. 81-163 adopted setting hearing. (Clerk to handle)

CONSENT

27. Recommend to Council an amendment to P-D(127) - Calvin D. Henne.
(On February 17, 1981, the Planning Commission adopted Resolution 81-51 recommending to the Council an amendment to P-D(127) located at the northeast corner of Oakdale Road and East Orangeburg, to allow a family amusement machine center. Resolution setting public hearing on April 7, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-164 adopted setting hearing. (Clerk to handle)

CONSENT

28. Recommend to Council an amendment to Section 7-4-9 of the Zoning Map - Michael deRuosi and Gary Hansen.
(On February 17, 1981, the Planning Commission adopted Resolution 81-54 recommending to the Council an amendment to Section 7-4-9 of the Zoning Map to rezone from R-1 to R-2 property located on the south side of W. Hatch Road west of Dallas. Resolution setting public hearing on March 24, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-165 adopted setting hearing.

(Clerk to handle)

CONSENT

29. Recommend to Council the granting of an Unclassified Use Permit - Orangeburg Baptist Church.
(On February 17, 1981, the Planning Commission adopted Resolution 81-52 recommending to the Council the granting of an Unclassified Use Permit to the Orangeburg Baptist Church for utilization of church facilities for a parochial school, property located at the northwest corner of E. Orangeburg Avenue and Nelson Avenue. Resolution setting public hearing on March 24, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-166 adopted setting hearing.

(Clerk to handle)

CONSENT

30. Recommend to Council an amendment to Section 10-3-9 of the Zoning Map - Robert Weeks.
(On February 17, 1981, the Planning Commission adopted Resolution 81-49 recommending to the Council an amendment to Section 10-3-9 of the Zoning Map to rezone from R-3 to P-D(298), property located at the southeast corner of Coffee Road and Sylvan Avenue to allow a professional office park including a financial institution. Resolution setting public hearing on April 7, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-167 adopted setting hearing.

By motion, Council indicated its intention to continue this hearing to May 12, 1981, at 7:30 p.m.
(Clerk to handle)

CONSENT

31. Consider the Roselawn No. 2 Governmental Reorganization to the City of Modesto.
(On February 17, 1981, LAFCO approved this uninhabited annexation which was initiated by a petition of property owners. The governmental reorganization would include annexation to the City, detachment from the Burbank-Paradise Fire Protection District and annexation to the Modesto Municipal Sewer District No. 1. LAFCO has authorized the City Council to proceed without notice, hearing or election. Resolution ordering the Roselawn No. 2 Governmental Reorganization to the City of Modesto and certifying review of environmental impact needed.)

ACTION: Res. 81-168 adopted ordering the Roselawn No. 2 Governmental Reorganization.
(Planning to handle)

CONSENT

18. Consider authorizing partial payment of \$10,000 to Philip Grant Martin for work completed on the contract to study alternatives for improvements to the City Hall Annex.
(The study was approved by Council on November 12, 1980. Mr. Martin has nearly completed the study and he would like to receive a partial payment on the \$12,000 (maximum limit) contract. Work done by Mr. Martin and his associates amounts to over \$10,000. The study is more than 95% complete. Resolution approving partial payment needed. Funds are budgeted.)

ACTION: Res. 81-155 adopted approving partial payment. (P.W./Finance to handle)

CONSENT

19. Public liability insurance renewal (expiration date 3-1-81),
(Memo with agenda. Resolution authorizing purchase of public liability insurance effective 3-1-81 needed. Funds are budgeted.)

ACTION: Res. 81-156 adopted authorizing purchase of airport public liability insurance through Lloyds of London.
Res. 81-157 adopted authorizing purchase of public liability insurance through Hamilton/Meridian Insurance Agency. (Management Services to handle)

CONSENT

20. Consider request by Ecology Action Educational Institute to modify their limited license to collect salvageable waste.
(Ecology Action currently has a limited license to collect glass, metal cans, newsprint, and cardboard in residential areas. They're asking that their limited license be modified to allow for the collection of high-grade paper in the commercial areas. Resolution setting public hearing on Tuesday, March 17, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-158 adopted setting hearing. (Clerk to handle)

CONSENT

21. Consider authorizing the Mayor to correspond with local state legislators urging that they support the California Witness Protection Program in fiscal year 81-82.
(Memo with agenda. Motion authorizing the Mayor to correspond with local state legislators needed.)

ACTION: By motion, Mayor authorized to correspond with legislators. (Mgr. to handle)

CONSENT

22. Consider declaring the equipment and property listed on the Surplus Property Listing as surplus to City needs and authorize the Purchasing Officer to advertise and sell the items on a sealed bid basis.
(Memo and surplus property listing with agenda. Resolution declaring equipment and property surplus to City needs and authorizing sale needed.)

ACTION: Res. 81-159 adopted declaring equipment and property surplus and authorizing sale.
(Finance to handle)

32. West Campus Business Center - Installation of Offsite Improvements.
(Applicant wants no parking zones designated on Cummins Drive, Blue Gum Avenue, and Carpenter Road adjacent to site and a reduction in sidewalk standards--side-walks on one side of street only, Cummins Drive, and 5-foot rather than 10-foot sidewalk adjacent to proposed neighborhood shopping center. Memo with agenda. (Motion directing staff needed.)

ACTION: By motion (Lang/Muratore, unan.) this item was continued to April 14, 1981, at the request of the applicant. (Clerk to handle)

MISCELLANEOUS

CONSENT

33. Legislation

- a. Consider I.R.S. Revenue Procedure 80-55 which would prohibit banks from backing public deposits with tax-exempt securities.
(Memo with agenda. Motion opposing Revenue Procedure 80-55 needed.)

ACTION: By motion, Revenue Procedure 80-55 opposed. (Mgmt. Services to handle)

34. Appointments

ACTION: Res. 81-169 adopted (Siefkin/Muratore, unan.) appointing Richard Shaffer to the Planning Commission, term to expire 1/1/85.
Res. 81-170 adopted (same vote) appointing Margaret Rush to the Culture Commission, term to expire 1/1/85. (Clerk to handle)

35. Other

None

36.

MATTERS TOO LATE FOR THE AGENDA

- a. Allocation of State Parks Bond funds.

ACTION: Res. 81-171 adopted (Bright/Kullijian, unan.) approving distribution formula.
Res. 81-172 adopted (same vote) approving priority of expenditures. (P.R. to handle)

- b. Councilmembers commended Councilmember Kullijian on his work on the Council.

The meeting adjourned at 5:25 p.m.

ATTEST:



NORRINE COYLE City Clerk

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 10, 1981 AT 7:30 P.M.

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

Absent: None

Pledge of Allegiance to the Flag

Invocation: Rev. Thomas Foster, St. Paul's Episcopal Church, and Councilmember Harry Kullijian

A. Canvass of Votes

ACTION: Res. 81-173 adopted (Siefkin/Elliott, unan.) certifying canvass of votes cast at the March 3, 1981, election.

B. Oath of Office

The oath of office was given to Councilmembers - elect Thomas Bright, Richard Lang, and Richard Patterson, and School Board Members - elect Marjorie Fovinci, Michael McKibbin, John Uhl and Alan Vincent. Newly elected Councilmembers then took their seats.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 13, 14, 15, 16, 17, 17A, 19, 20, 21, 22, 23, 25

ACTION: (Bright/Muratore, unan.) (Bright, Elliott, Lang, Muratore, Patterson, Siefkin and Mayor Mensinger)

(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 the Tree City U.S.A. Award to the City Council by Michael O. Shori, South Sierra Regional Chief, California Department of Forestry.
(Memo with agenda.)

ACTION: Michael Shori presented a plaque, flag, and signs to place at the entrances to the City to show the City has been designated "Tree City, U.S.A.".

MINUTES

CONSENT

2. Approval of the minutes of the March 3, 1981, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Further consideration of parking attendants' wages.
(Report with agenda. Specific recommendations are made including a recommendation that comments/recommendations from the DID and DMA be solicited before a decision is made. Motion referring the report to the DID and DMA needed. No additional cost at this time.)

ACTION: By motion (Muratore/Lang, unan.) this item was referred to the D.I.D., D.M.A. and the Downtown Renaissance Committee. (P.T. to handle)

3/10/81

CONSENT

4. Final adoption of Ord. No. 2010-C.S. rezoning from R-1 to R-3 property located on Brighton and Scenic (Howard G. Bell).
(Memo with agenda. Motion adopting ordinance needed.)

ACTION: By motion, Ord. No. 2010-C.S. adopted.

(Clerk to handle)

CONSENT

5. Final adoption of:

- a. Ord. No. 2020-C.S. rezoning from C-1 to C-2 property located downtown south of Needham, northwest of J Street (Commission initiated).
- b. Ord. No. 2021-C.S. amending the Municipal Code Section concerning Family Amusement Machine Centers (Bob Erickson).

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

6. Report on preliminary plans for restriping Standiford in the vicinity of Columbine Drive.
(Report with agenda. Two different plans for restriping Standiford are considered. One uses the north sidewalk for a bike lane. Motion directing staff to prepare a final plan for restriping Standiford at Columbine needed. Appropriation transfer will be requested after a plan has been adopted and bids received.)

ACTION: By motion (Siefkin/Lang, unan.) Plan No. 2 was approved. (P.T. to handle)

HEARINGS

7. Continued hearing on appeal of Sidney Rogers, Scenic Nursery, to a decision of the Planning Commission concerning rezoning of property on the north side of Scenic east of Coffee Road.
(Continued from the March 3, 1981, meeting.)

Councilmember Patterson excused because he was not present during the first part of the hearing.

ACTION: By motion (Siefkin/Bright, unan., Patterson absent) Council indicated its intention to approve the zoning as recommended in the Planning and Community Development Department memo of March 9, 1981, and continued the hearing to April 7, 1981, to allow plans to be finalized. (Planning to handle)

8. Order the paving work to be done on alley improvements - Project No. 8 (Residential), Block 6706 - Monte Carlo/Monte Verde - Hawthorne/Monte Cristo.

ACTION: By motion (Siefkin/Lang, unan.) hearing continued to March 24, 1981, 7:30 p.m.
(Clerk/P.W. to handle)

9. Hearing on amendment to P-D(60), property located between Miller and Haddon Avenues west of North Riverside Drive to allow conversion to condominiums, existing 96-unit apartment project (Calvin Bright, Lew & Associates).

ACTION: By motion (Lang/Bright, unan.) Ord. No. 2022-C.S. introduced.
Res. 81-174 adopted (same vote) approving plan with privacy fences required.
(Clerk to handle)

10. Hearing on amendment to Section 22-3-9 of the Zoning Map, to rezone from P-0 to P-D(296) property located on the east side of Coffee Road north of E. Coolidge to allow conversion of an office complex to condominiums (Tom MacDonald).

ACTION: By motion (Muratore/Bright, unan.) Ord. No. 2023-C.S. introduced.
Res. 81-175 adopted (same vote) approving plan.
Res. 81-176 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

11. Hearing on amendment to the Zoning Ordinance to Add Section 10-2.2703.1 relating to condominiums.

ACTION: By motion (Patterson/Bright, unan.) hearing continued one week to permit time for additional information to be developed.

12. Informal public hearing to consider adoption of a Zoning and Development Plan for the Bret Harte and portion of the Fairview Neighborhoods.

ACTION: Res. 81-177 adopted (Siefkin/Muratore, unan.) approving plan. (Planning to handle)

BIDS

CONSENT

13. Award contract to construct Oakdale/Wylie traffic signals.
(Memo with agenda. Bids were below the budget. Resolution awarding contract needed.
Estimated cost: \$44,490; funds are budgeted.)

ACTION: Res. 81-178 adopted awarding contract. (P.T. to handle)

CONSENT

14. Consider declaring Central Valley Equipment low bidder meeting specifications on Item I and low bidder on Item II and authorize the purchase of a total of six turf trucks from the firm for the total price of \$25,468.10.
(Memorandum with agenda. Resolution authorizing purchase. Estimated cost: \$25,468.10; funds are budgeted.)

ACTION: Res. 81-179 adopted authorizing purchase. (Finance to handle)

CONSENT

15. Consider acceptance of The Flintkote Company's contract for construction of curb and gutter on Briggsmore Avenue as complete. (Original contract: \$46,834.50)
(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: \$47,186.65; funds are budgeted.)

ACTION: Res. 81-180 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

16. Letter from State Department of Transportation concerning alignment of Route 132 in the vicinity of Jennie and Grand Streets.
(Resolution setting informal public hearing on March 24, 1981 needed.)

ACTION: Res. 81-181 adopted setting hearing. (Clerk to handle)

CONSENT

17. Letter from Bill Wilson of "Project Sunrise" concerning the proposed Citizens' Energy Committee.
(Motion referring to staff for recommendation needed.)

ACTION: By motion, referred to staff for recommendation. (Mgr. to handle)

CONSENT

- 17A. Appeal by Scott Johnson to a decision of the Board of Building Appeals concerning property located at 1418 - 1430 I Street.
(Resolution setting hearing April 7, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-182 adopted setting hearing. (Clerk to handle)

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

None

NEW BUSINESS

CONSENT

19. Recommend to Council an amendment to Section 28-3-9 of the Zoning Map - Tierra Sierra, Inc.
(On March 2, 1981, the Planning Commission adopted Resolution No. 81-68 recommending to the City Council an amendment to Section 28-3-9 of the Zoning Map to rezone from a portion of P-D(119) to C-1, property located at 518 13th Street. Resolution setting public hearing on March 24, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-183 adopted setting hearing. (Clerk to handle)

CONSENT

20. Consider request of the Council Gift Shop to hold Family Kite Day at Downey Park on March 29, 1981.
(Memo with agenda. Resolution approving Family Kite Day needed.)

ACTION: Res. 81-184 adopted approving Family Kite Day. (P.R. to handle)

CONSENT

21. Consider approving an agreement with Recreation Systems, Inc., to furnish landscape services for the design and development of Scenic East Neighborhood Park Master Plan.
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$3,500; funds are budgeted.)

ACTION: Res. 81-185 adopted approving agreement. (P.R. to handle)

CONSENT

22. Consider approval of an agreement with Recreation Systems, Inc., to furnish landscape services for the design and development of Robertson Road Neighborhood Park Master Plan.
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$3,500; funds are budgeted.)

ACTION: Res. 81-186 adopted approving agreement. (P.R. to handle)

CONSENT

23. Approval of lease of offices at 401 H Street for the Housing Program Office.
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$10,800/year; funds are budgeted.)

ACTION: Res. 81-187 adopted approving agreement. (Planning to handle)

CONSENT

25. Consider approving agriculture lease with John J. Kenney for future Pelandale Park site.
(Lessee is leasing the 6.8 acre park site in conjunction with the adjoining 11.1 acre school site which he leases from the Salida School District. Site is planted in grapes. Lessee has agreed to pay the City 30% of the crop. Lease expires October 31, 1981. Resolution approving agreement needed.)

ACTION: Res. 81-188 adopted approving agreement.

(P.W. to handle)

MISCELLANEOUS

26. Legislation

None

27. Appointments

None

28. Other

None

29.

MATTERS TOO LATE FOR THE AGENDA

ADJOURNMENT

The meeting adjourned at 9:40 p.m.

ATTEST:


NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 17, 1981 AT 4:00 P.M.

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

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Councilmember Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 7, 8, 10, 11, 12, 13, 15,
DROPPED FROM AGENDA: 9 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28

ACTION: (Muratore/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.)

As a result of approval of Item 27, newly-designated Vice Mayor Lang took the Mayor's seat in her absence.

1.

ACKNOWLEDGEMENTS

None

MINUTES

CONSENT

2. Approval of the minutes of the March 10, 1981, 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. 2022-C.S. amending P-D(60), property located between Miller and Haddon Avenues, west of North Riverside Drive for condominium conversion, existing 96-unit apartment project (Calvin Bright, Lew & Associates).
- b. Ord. No. 2023-C.S. rezoning from P-0 to P-D(296) property located on the east side of Coffee Road, north of E. Coolidge to allow conversion of office complex to condominiums (Tom MacDonald).

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

4. Continued hearing on amendment to the Zoning Ordinance to add Section 10-2.2703.1 relating to condominiums.
(Continued from the meeting of March 10, 1981.)

ACTION: By motion (Siefkin/Muratore, unan., Mayor Mensinger absent) Ord. No. 2024-C.S. introduced. (Clerk to handle)

By motion (same vote) staff to report to Council in 6 months on how the new procedure is working. (Planning to handle)

5. Hearing to consider grant application for nine buses and related equipment.

ACTION: Res. 81-189/(Muratore/Siefkin, unan., Mayor Mensinger absent) approving grant application. (P.T. to handle)
adopted

6. Hearing on request by Ecology Action Educational Institute to modify their limited license to collect salvageable waste.

ACTION: By motion (Elliott/Siefkin, unan., Mayor Mensinger absent) Ord. 2025-C.S. introduced. (Clerk to handle)

BIDS

CONSENT

7. Consider approval of plans and specifications and call for bids for the construction of well at Mancini Park.
(Suggested bid opening: April 7, 1981 at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$14,300 (Contract \$13,000; Engineering \$1,300); funds are budgeted.)

ACTION: Res. 81-190 adopted calling for bids. (P.W. to handle)

CONSENT

8. Consider acceptance of the contract of Howell and Schmidt, Inc. for addition to and modification of Fire Prevention Bureau, 11th and F Streets, as complete.
(Original contract: \$69,994)
(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: \$72,666; funds are budgeted.)

ACTION: Res. 81-191 adopted accepting work as complete. (Clerk to handle)

9. Consider award of contract for the construction of water automation control building.
(Bids were opened March 10, 1981. The low bid of \$58,500, submitted by B & L Builders is 2% below the engineer's estimate and is considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to B & L Builders needed. Estimated cost: \$58,500; funds are budgeted.)

DROPPED FROM AGENDA

CONSENT

10. Consider award of contract for the construction of waterline extension in Scenic Bend.
(Bids were opened on March 10, 1981, at 11:15 a.m. The low bid of \$5,211.50, submitted by North West Construction is 7% 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 North West Construction needed. Estimated cost: \$5,211.50; funds are budgeted.)

ACTION: Res. 81-192 adopted awarding contract. (P.W. to handle)

CONSENT

11. Consider declaring two vendors as low responsible bidders and authorize City Manager to enter into agreements with Scenic Shell Service and Ramont's Tow Service to provide towing service for City government vehicles.
(Memorandum with agenda. Two resolutions authorizing contracts with Scenic Shell Service and Ramont's Tow Service needed. Estimated cost: \$5,000; funds are budgeted.)

ACTION: Res. 81-193 adopted authorizing contract with Scenic Shell Service.

Res. 81-194 adopted authorizing contract with Ramont's Tow Service.
(Finance to handle)

CONSENT

12. 1) Consider declaring Best Chevrolet low bidder on Items I & III and authorize the purchase of five compacts and one 3/4-ton pickup from the firm for the total purchase price of \$38,017.74
2) Consider declaring G & W Ford low bidder on Item II and authorize the purchase of two light utility trucks from the firm for the total purchase price of \$13,321.53.
3) Consider declaring Dow Hammond low bidder on Item IV and authorize the purchase of one aerial lift truck from the firm for the total purchase price of \$21,426.07.
(Memorandum with agenda. Three resolutions authorizing purchases needed. Funds are budgeted.)

ACTION: Res. 81-195 adopted declaring Best Chevrolet low bidder on Items I and III.

Res. 81-196 adopted declaring G & W Ford low bidder on Item II.

Res. 81-197 adopted declaring Dow Hammond low bidder on Item IV.
(Finance to handle)

CONSENT

13. Consider approval of plans and specifications and call for bids for the construction of wheelchair ramps at various City parks.
(Suggested bid opening: April 7, 1981, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$13,860 (Contract \$12,600; Engineering \$1,260); funds are budgeted.)

ACTION: Res. 81-198 adopted calling for bids.

(P.W. to handle)

WRITTEN COMMUNICATIONS

14. Letter from Dr. Paul Harder of County Arts Commission regarding a County-wide arts plan.

ACTION: Res. 81-199 adopted (Elliott/Muratore, unan., Mayor Mensinger absent) approving plan with recommended changes.
(P.R. to handle)

CONSENT

15. Appeal by Michael Tedesco, McHenry Station Restaurant, to a decision of the Board of Zoning Adjustment concerning amendment to an H-1 use permit.
(Resolution setting hearing April 14, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-200 adopted setting hearing.

(Clerk to handle)

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

Councilmember Patterson commented on the excellence of the Oakland Symphony concert.

NEW BUSINESS

CONSENT

17. Consider approval of recommendation by Director of Parks and Recreation concerning rental of golf carts for tournaments.
(Memo with agenda. Resolution approving new rates needed.)

ACTION: Res. 81-201 adopted approving new rates.

(P.R. to handle)

CONSENT

18. Presentation of Financial Statement for February, 1981.
(Copies of report will be presented at meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

19. Consider changing signing requirements for parking spaces for the handicapped. (Memo with agenda. It is recommended that a supplementary sign stating "Special Placard or License Plate Required" be required at all such parking spaces. Motion referring to the Planning Commission needed. Estimated cost: \$300; funds are budgeted.)

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

CONSENT

20. Consider acceptance of improvements in Hollandia Villas subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory period. Developer: Grant Construction Co. (Hollandia Villas is a subdivision located east of Prescott Road and south of Snyder Avenue. All improvements have been completed to the satisfaction of the Public Works Department or bonded for satisfactory completion and fees have been paid. Letter of Agreement with agenda. Cash deposit has been posted. Resolution accepting improvements as complete needed.)

ACTION: Res. 81-202 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

21. Consider acceptance of improvements in Fig Garden subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Subdividers: CBC Development Co. and CW Development Co. (Fig Garden subdivision is located at the northeast corner of East Orangeburg Avenue and Yarmouth Drive. 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. 81-203 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

22. Consider acceptance of improvements in Greenwood Estates No. 6 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Subdividers: Weeks Real Estate and Stewart and Jasper Poultry Ranch. (Greenwood Estates No. 6 subdivision is located north of Standiford Avenue and west of McHenry 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. 81-204 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

23. Consider acceptance of improvements in Union Square subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Subdividers: Rule Enterprises.
(Union Square subdivision is located north of Standiford Avenue and west of McHenry 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. 81-205 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

24. Consider acceptance of improvements in Hacienda Villas subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Subdividers: Richard H. and Inez E. Peterson, Bradley S. and Michele C. Peterson and P & W Development, Inc.
(Hacienda Villas subdivision is located between California Avenue and Houser Lane, west of Panama Drive. 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. 81-206 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

25. Consider approving an agreement with W. P. Wesson, Jr. to lease 2.66[±] acres of Wesson Ranch Park site for farming purposes.
(When the City acquired this land from W. P. Wesson, Sr., it was with the agreement that Mr. Wesson Sr. could use the land for his lifetime. Now that Mr. Wesson has passed on, his son has asked to lease the property under the same terms. Since the property probably cannot be leased to anyone else, this will save the City maintenance costs. Resolution approving agreement needed.)

ACTION: Res. 81-207 adopted approving agreement. (P.W. to handle)

CONSENT

26. Recommend to Council an Unclassified Use Permit - Big Valley Grace Community Church.
(On March 2, 1981, the Planning Commission adopted Resolution 81-66 recommending to the Council the granting of an unclassified use permit to the Big Valley Grace Community Church to expand the parochial school facilities and construct a new sanctuary, property located at the northeast corner of Columbine Drive and Standiford Avenue. Resolution setting public hearing April 14, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-208 adopted setting hearing. (Clerk to handle)

CONSENT

27. Designation of Councilmember Richard Lang to serve as Vice Mayor for the ensuing year pursuant to Section 603 of the Charter of the City of Modesto. (Resolution designating Richard Lang as Vice Mayor needed.)

ACTION: Res. 81-209 adopted designating Richard Lang as Vice Mayor. (Clerk to handle)

MISCELLANEOUS

CONSENT

28. Legislation:

Staff recommends the following;

- a. Opposing SB 314
- b. Opposing SB 225
- c. Supporting AB 305

(Memos and attachments with agenda. Motion opposing SB 314 and SB 225 and supporting AB 305 needed.)

ACTION: By motion, SB 314 and SB 225 opposed and AB 305 supported.

29. Appointments

(Siefkin/Elliott, majority, Patterson-no, Mayor Mensinger absent)

ACTION: Res. 81-210 adopted/appointing the following persons to the Board of Personnel Appeals: Levio Ghilotti, Stanley Farrow, and Leslie May.

Res. 81-211 adopted (Siefkin/Elliott, majority, Patterson-no, Mayor Mensinger absent) appointing the following persons to the Human Relations Commission: Pete Dutton, Alfonso Pelayo, Helen White, Joseph Valenzuela, Margaret Zabel, David Dill, and Ernest Garcia.

(Clerk to handle)

30. Matters too late for the agenda.

None

Meeting adjourned at 5:00 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

Adjourned Special Meeting
Modesto City Council
March 25, 1981

The Council of the City of Modesto met pursuant to adjournment at 1:30 p.m., in the Third Floor Conference Room, City Hall, 801 11th Street, Modesto, California.

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

Absent: Councilmembers: Lang, Siefkin

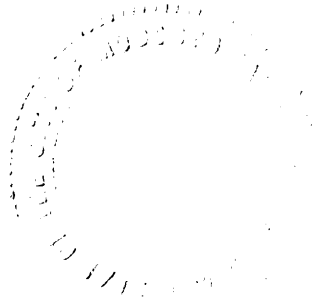
The Councilmembers met with Ed Berger, Congressman Tony Coelho's legislative assistant and press secretary in Washington, D.C., and Fred Hatfield from Congressman Coelho's Fresno Office. Various pieces of legislation and the federal budget were discussed.

The meeting adjourned at 2:15 p.m.

ATTEST:



NORRINE COYLE, City Clerk



MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 24, 1981, 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 Thomas Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 19, 20, 21, 22, 23, 24, 25,
26, 28, 29, 30, 31, 32, 33, 34, 35, 36

Removed from Consent: 17

ACTION: (Lang/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

Mayor Mensinger introduced Webelos Den Pack 237 from Sylvan School. She also congratulated Councilmember Lang on being designated as Vice Mayor and thanked Councilmember Siefkin for serving during the previous year.

MINUTES

CONSENT

2. Approval of the minutes of the March 17, 1981, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Consideration of Lakewood trunk sewer extension and further General Plan studies.
(Memo with agenda. Resolution determining to proceed with or drop Lakewood Trunk Sewer Extension and motion directing staff.

ACTION: By motion (Lang/Bright, unan.) this item was continued to May 12, 1981.

4. Consider additional graffiti-resistant coating and signs on 11th Street Garage. (Memo with agenda. The Council previously directed staff to submit cost figures for additional signing. The staff has found additional areas to be covered with graffiti-resistant coating. The memo provides the cost data and recommends approving a sign and additional graffiti-resistant coating. Resolution authorizing contract change order and resolution authorizing purchase of sign needed. Estimated cost: \$9,527; funds are budgeted.)

ACTION: Res. 81-212 adopted (Muratore/Siefkin, unan.) authorizing purchase of sign.
Res. 81-213 adopted (same vote) authorizing contract change order. (P.T. to handle)

CONSENT

5. Final adoption of:

- a. Ord. No. 2024-C.S. adding a section to the Modesto Municipal Code concerning condominiums.
- b) Ord. No. 2025-C.S. allowing Ecology Action Educational Institute to collect salvageable waste.

(Motion adopting needed.)

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

HEARINGS

6. Continued hearing on paving work to be done on alley improvements - Project No. 8, (Residential) Block 6706 - Monte Carlo/Monte Verde - Hawthorne/Monte Cristo. (This item continued from the March 10, 1981 meeting.)

ACTION: Res. 81-214 adopted (Siefkin/Muratore, unan.) including alley in Project No. 8. (P.W. to handle)

7. Hearing to consider the vacation and abandonment of the 6-foot public walkway in Blocks 6113 and 6114 between Glenwood and Pearl Streets.

ACTION: Res. 81-215 adopted (Muratore/Siefkin, unan.) abandoning walkway. (Planning to handle)

8. Hearing to consider the vacation and abandonment of the 10-foot alley in Block 603 located south of E. Morris Avenue, west of John Muir Court.

ACTION: Res. 81-216 adopted (Lang/Muratore, unan.) abandoning alley. (Planning to handle)

9. Hearing on appeal by Robert Cardoza to a decision of the Planning Commission regarding rezoning from R-2 to P-D for an apartment complex on Sunnyside, south of Lucern.

ACTION: Res. 81-217 adopted (Siefkin/Muratore, unan.) denying appeal. (Planning to handle)

10. Hearing on amendment to Section 31-3-9 of the Zoning Map to rezone from R-1 to P-D(297), property located on the northeast corner of Carpenter Road and Houser Lane to allow a single-family small lot garden home subdivision. (Joaquin Construction)

ACTION: By motion (Muratore/Siefkin, majority, Elliott, Lang, Patterson-no) Ord. No.2026 C.S. introduced rezoning.

Res. 81-218 adopted (same vote) approving plan.

Res. 81-219 adopted (same vote) certifying review of Environmental Assessment.

(Clerk/Planning to handle)

11. Hearing on amendment to Section 7-4-9 of the Zoning Map to rezone from R-1 to R-2 property located on the south side of W. Hatch Road, west of Dallas. (Michael deRuosi and Gary Hansen)

ACTION: By motion (Lang/Muratore, unan.) Ord. No. 2027-C.S. introduced.

Res. 81-220 adopted (same vote) certifying review of Environmental Assessment.

(Clerk/Planning to handle)

12. Hearing on Unclassified Use Permit to the Orangeburg Baptist Church for utilization of church facilities for a parochial school, property located at the northwest corner of E. Orangeburg Avenue and Nelson Avenue. (Orangeburg Baptist Church)

ACTION: Res. 81-221 adopted (Bright/Muratore, unan.) approving the Unclassified Use Permit.

(Planning to handle)

13. Hearing on cost of installation of curb and sidewalk along Franklin Avenue at 325 Maze Boulevard. (Mary Bianco - \$1,910)

ACTION: Res. 81-222 adopted (Siefkin/Bright, unan.) assessing cost and determining method of payment - 10 years at \$191.00 per year.

(P.W. to handle)

14. Hearing on amendment to Sections 10-2.3507 and 10-2.3510 of the Zoning Regulations pertaining to service station motor fuel price signs.

ACTION: By motion, Ord. No. 2028-C.S. (Bright/Siefkin, unan.) introduced. (Clerk to handle)

15. Hearing concerning alignment of Route 132 in the vicinity of Jennie and Grand Streets.

Councilmember Lang left the meeting at 10:30 p.m.

ACTION: By motion (Muratore/Siefkin, unan., Lang absent) Council agreed with the State's recommendation to split the E.R.I. into two phases. (P.T. to handle)

16. Hearing on amendment to Section 28-3-9 of the Zoning Map to rezone from a portion of P-D(119) to C-1, property located at 518 13th street. (Tierra Sierra, Inc.)

ACTION: By motion (Muratore/Siefkin, unan., Lang absent) Ord. No. 2029-C.S. introduced. Res. 81-223 adopted certifying review of Environmental Assessment. (Clerk/Planning to handle)

BIDS

17. Consider award of contract for the construction of water automation control building. (Memo with agenda. Bids were opened March 10, 1981. The low bid of \$58,500, submitted by B & L Builders is 2% below the engineer's estimate and is considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to B & L Builders needed. Funds are budgeted.)

ACTION: Res. 81-224 adopted (Siefkin/Bright, majority, Elliott-no, Lang, absent) awarding contract. (P.W. to handle)

18. Consider award of contract for reconstruction of residential alleys - Project No. 8. (Bids were opened March 10, 1981, and the low bid of \$21,105.95 submitted by Lee White Paving Co. is 25% below the engineer's estimate and is considered acceptable. Therefore, it is recommended by the Public Works Department to award the contract to them. Resolution awarding contract to Lee White Paving Co. needed. Estimated cost: \$23,905.95 (Contr. \$21,105.95; Eng. & contg. \$2,800); funds are budgeted.)

ACTION: Res. 81-225 adopted (Siefkin/Muratore, unan., Lang absent) awarding contract. (P.W. to handle)

CONSENT

19. Consider acceptance of the contract of Lee White Paving Company for Beard Brook Park parking area - Children's Park - Block #225 as complete. (Original contract: \$16,360.80)
(All work on this project has been completed to the satisfaction of the Public Works and Parks and Recreation 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: \$16,470.76; funds are budgeted.)

ACTION: Res. 81-226 adopted accepting work as complete. (Clerk to handle)

CONSENT

20. Consider rejection of bids for the installation of water automation instrumentation and control work.
(Bids were opened on March 10, 1981. Diablo Control Co. submitted the sole bid for \$73,232, which is 162% above the engineer's estimate and considered unacceptable. It is therefore recommended that the bid be rejected. The project will be rebid after the staff reviews and reevaluates the project with the consultant. Resolution rejecting bids needed.)

ACTION: Res. 81-227 adopted rejecting bids. (P.W. to handle)

CONSENT

21. Consider waiving formal bid procedures and authorize the purchase of aerial lift repair services from Mobile Hydraulic Equipment Company, Inc. for the total price of \$6,553.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. Funds are budgeted.) (Five affirmative votes needed.)

ACTION: Res. 81-228 adopted waiving formal bid procedure. (Finance to handle)

CONSENT

22. Consider declaring Applied Microfilm Systems, Inc. the sole bidder and authorize the purchase of one microfilm duplicator from the firm for the total price of \$13,774.70 for Management Services.
(Resolution authorizing the issuance of one purchase order needed. Funds are budgeted.)

ACTION: Res. 81-229 adopted authorizing the issuance of one purchase order. (Finance to handle)

CONSENT

23. Consider declaring Modesto Ford Tractor, Inc. low bidder and authorize the purchase of one diesel tractor for the total price of \$15,017.02.
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 81-230 adopted authorizing purchase. (Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

24. Request by Robert Wurm, President of Farmers' Market, to hold the Farmers' Market again during the 1981 summer and fall, on Mondays, Wednesdays, and Saturdays, beginning June 20, and ending November 14, 1981.
(Memo with agenda. Motion referring to staff needed.)

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

CONSENT

25. Request from J. Mack Hernandez, Area Agency on Aging, for free bus service on Saturday, May 30, and for buses to transport senior citizens to Modesto Junior College that day for Senior May Day activities.
(Motion referring to staff for recommendation needed.)

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

CONSENT

26. Appeal by Ernest Setliff, Setliff Bros., to a decision of the Board of Zoning Adjustment concerning a Conditional Use Permit, property located at 7th Street and Tuolumne Boulevard.
(Resolution setting hearing April 21, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-231 adopted setting hearing. (Clerk to handle)

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

None

NEW BUSINESS

CONSENT

28. Consider the request of Airport Garbage Company for the City to provide billing and collection service for their residential accounts.
(Memo with agenda. Ordinance amending the Code to provide for City billing and collection by agreement needed, and resolution approving agreement with the Airport Garbage Company needed. No cost to City - City will be reimbursed for all costs.)

ACTION: By motion, Ord. No. 2030-C.S. introduced amending Code.
Res. 81-232 adopted approving agreement. (Clerk/Finance to handle)

CONSENT

29. Consider updating and revising some radar speed limits.
(Memo with agenda. Six speed limits are expiring, and new speed limits are proposed on Sisk and Mable.
(Introduction of ordinance amending Municipal Code Section 3-2.1401.1 needed. Estimated cost: \$300; funds are budgeted.)

ACTION: By motion, Ord. No. 2031-C.S. introduced amending Code. (Clerk to handle)

CONSENT

30. Authorize City Manager to sign agreement with Dodson and Young for engineering services necessary to perform two value engineering workshops and a specification review of the Water Quality Control Plant expansion plans and specifications.
(As a condition of the Clean Water Grants Program, a value engineering study evaluating the plans and specifications of our Water Quality Control Plant expansion is required by the State Water Quality Control Board. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$48,234; funds are budgeted.)

ACTION: Res. 81-233 adopted approving agreement. (P.W. to handle)

CONSENT

31. Consider authorizing the City Manager to sign a new vending service contract with Canteen Corporation for vending machines maintained in various City locations.
(Based on a review of other vending services available and Canteen's continued good service, it is proposed to renew City's contract with Canteen. The contract will supersede Canteen's contract dated April 5, 1976. Resolution approving new contract needed.)

ACTION: Res. 81-234 adopted approving new contract. (Finance to handle)

CONSENT

32. Consider LAFCO Questionnaire regarding the Woodland-Bennett Annexation.
(This annexation proposal consists of approximately 3.4 acres on the north side of Woodland Avenue west of Carpenter Road. It includes two small agricultural parcels and a residential parcel with a total of six single-family dwellings. Memo, maps and Questionnaire with agenda. Resolution approving LAFCO Questionnaire needed.)

ACTION: Res. 81-235 adopted approving LAFCO Questionnaire. (Planning to handle)

CONSENT

33. Housing Maintenance Program interest rates.
(Memo with agenda. The various committees of the Housing Maintenance Program recommend a 10% interest rate for Community Development Block Grant rehab loans for higher income, non-resident property owners. Resolution approving 10% interest rates needed.)

ACTION: Res. 81-236 adopted approving 10% interest rates. (Planning to handle)

CONSENT

34. Recommend to Council an amendment to P-D(263) - Rule Enterprises.
(On March 16, 1981, the Planning Commission adopted Resolution 81-73 recommending to the City Council an amendment to P-D(263), property located at the southeast corner of Blue Gum Avenue and Morse Road to allow a combination two-story apartment complex and a zero lot line patio home subdivision. Resolution setting public hearing April 14, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-237 adopted setting hearing.

(Clerk to handle)

CONSENT

35. CATV Annual Performance Verification.
(Report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

CONSENT

36. Legislation

Staff recommends support of:

- a. AB 487
- b. SB 102
- c. AB 254
- d. AB 495

Staff recommends opposition to:

- e. AB 151
- f. AB 251, and amend
- g. SB 111, and amend

(Memos and attachments with agenda. Motion supporting AB 487, SB 102, AB 254, and AB 495; opposing AB 151; opposing AB 251 and SB 111 unless amended, needed.)

ACTION: By motion, AB 487, SB 102 and AB 254, with preference for SB 102, supported, AB 151 opposed, and opposing AB 251 and SB 111 unless amended. (Mgmt. Services to handle)

37. Appointments

None

MATTERS TOO LATE FOR THE AGENDA

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

None

ADJOURNMENT

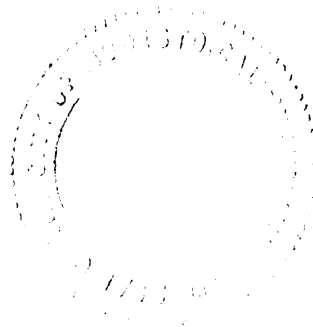
p.m.

Meeting adjourned at 11:05/ to Wednesday, March 25, 1981, at 1:30 p.m. in the City Hall third floor conference room for a meeting with Congressman Tony Coelho's Legislative Assistant, then to Tuesday, March 31, 1981, at 7:30 p.m. in the Council Chambers for a public forum, then to Wednesday, April 1, 1981, at 8:00 a.m. at the Sundial Restaurant, 806 McHenry Avenue, Modesto, for a meeting with Assemblyman Pat Johnston, and then to Friday, April 3, 1981, at 12:00 noon, at the Sundial Restaurant for a meeting with Assemblyman John Thurman.

ATTEST:

Norrine Coyle

NORRINE COYLE, City Clerk



Adjourned Special Meeting
Modesto City Council
March 25, 1981

The Council of the City of Modesto met pursuant to adjournment at 1:30 p.m., in the Third Floor Conference Room, City Hall, 801 11th Street, Modesto, California.

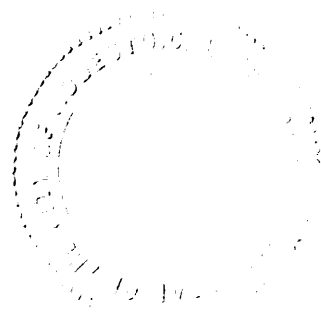
Present: Councilmembers: Bright, Elliott, Muratore, Patterson,
Mayor Mensinger

Absent: Councilmembers: Lang, Siefkin

The Councilmembers met with Ed Berger, Congressman Tony Coelho's legislative assistant and press secretary in Washington, D.C., and Fred Hatfield from Congressman Coelho's Fresno Office. Various pieces of legislation and the federal budget were discussed.

The meeting adjourned at 2:15 p.m. to Tuesday, March 31, 1981, 7:30 p.m., City Council Chambers, 801 11th Street, Modesto.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



The Council of the City of Modesto met pursuant to adjournment at 7:30 p.m., in the City Council Chambers, City Hall, 801 11th Street, Modesto, California.

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

Absent: None

Five citizens appeared and fourteen telephoned with statements or questions on the following topics:

1. Need for more programs in the evenings and on weekends for the disabled and handicapped.
2. Better use of cable television by City.
3. Bring more industry to Modesto.
4. Information concerning a community service project being started called "El Centro de Pueblo."
5. Suggestions concerning garden refuse service - requiring containerization, having the garbage companies pick up the garden refuse, a problem with the "jaw" (claw) breaking plastic bags containing refuse.
6. Wheelchair concerns.
7. Installation of and method of payment for sidewalks and alleys.
8. Traffic signal at Yosemite and Riverside.
9. Paving of Yosemite Avenue between H Street and Tuolumne.
10. Development of Lakewood Park.
11. Concerns about the Planning Commission.
12. Possibility of City and County developing a mobile home park.
13. Outlawing hand guns.
14. Concerns about the County government and the school districts.

The meeting adjourned at 8:40 p.m. to Wednesday, April 1, 1981, 8:00 a.m., at the Sundial Restaurant, 806 McHenry Avenue, Modesto.

ATTEST: 

NORRINE COYLE, City Clerk

Adjourned Special Meeting
Modesto City Council
April 1, 1981

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

The Councilmembers met with Assemblyman Pat Johnston to discuss various pieces of State legislation.

The meeting adjourned at 9:25 a.m. to Friday, April 3, 1981, 12:00 o'clock, at the Sundial Restaurant, 806 McHenry Avenue, Modesto.

ATTEST:



NORRINE COYLE City Clerk



Adjourned Special Meeting
Modesto City Council
April 3, 1981

The Council of the City of Modesto met pursuant to adjournment at 12:00 Noon, at the Sundial Restaurant, 806 McHenry Avenue, Modesto, California.

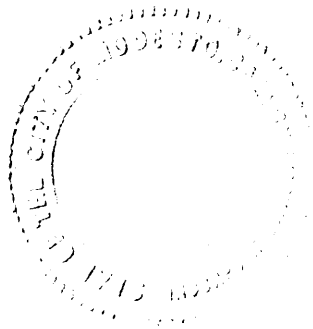
Present: Councilmembers Bright, Elliott, Lang, Patterson, Siefkin,
Mayor Mensinger

Absent: Councilmember Muratore

The Councilmembers met with Assemblyman John Thurman to discuss various pieces of legislation of mutual interest.

The meeting adjourned at 1:45 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 7, 1981, 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. Charles Wheatley, United Brethren in Christ Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, 5, 6, 12, 13, 14, 15, 16, 17, 18, 19,
20, 21, 22, 25, 26, 29, 32, 33, 35,
Dropped from agenda: 34, AB112 (part 36, 38, 39, 40, 41, 42, 43, 44, 45, 47, 48, 49,
of item 53) 50, 51, 52, 53

Removed from Consent: 27, 28

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 & PRESENTATIONS

1. Presentation of check for \$2,158 by Modesto Lions Club to be used toward the purchase of bleachers at Del Webb Soccer Field.
Jack Goodwin, President of the Modesto Lions Club, presented a check to Mayor Mensinger.
2. Presentation of Energy Conservation Award to Modesto Police Department by Pacific Gas and Electric Company.
Paul Elias, P.G. & E., presented the award to Chief McKinsey for the 78.4% reduction in gas consumption since 1977, at the Police Department.

MINUTES

CONSENT

3. Approval of the minutes of the regular City Council meeting of March 24, and the adjourned regular meetings of March 25, March 31, and April 1, 1981.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

4. Final adoption of Ord. No. 2026-C.S. rezoning from R-1 to P-D(297) property on the northeast corner of Carpenter Road and Houser Lane to allow a single-family small lot garden home subdivision. (Joaquin Construction)
(Motion adopting needed.)

ACTION: By motion (Elliott/Muratore, majority, Lang and Patterson - no) Ord. No. 2026-C.S. adopted. (Clerk to handle)

CONSENT

5. Final adoption of:

- a. Ord. No. 2027-C.S. rezoning from R-1 to R-2 property located on the south side of W. Hatch Road, west of Dallas. (Michael deRuosi and Gary Hansen)
- b. Ord. No. 2028-C.S. amending Modesto Municipal Code Sections relating to signs (service station motor fuel price signs).
- c. Ord. No. 2029-C.S. rezoning from a portion of P-D(119) to C-1 property located at 518 13th Street. (Tierra Sierra, Inc.)
- d. Ord. No. 2030-C.S. amending the Modesto Municipal Code Section relating to garbage, to allow the City to collect for residential garbage accounts.
- e. Ord. No. 2031-C.S. amending the Modesto Municipal Code Section relating to speed limits.

(Motion adopting needed.)

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

CONSENT

6. Consider approving free transit rides for senior citizens on Senior May Day, May 30, 1981.
(Memo with agenda. Free rides on both our buses and Dial-A-Ride are recommended, but the request for additional bus service to the Junior College on that day is not recommended. Motion authorizing free transit rides to senior citizens on May 30, 1981, needed. Estimated revenue loss: \$400.)

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

HEARINGS

7. Continued hearing on appeal of Sidney Rogers, Scenic Nursery, to a decision of the Planning Commission concerning rezoning of property on the north side of Scenic east of Coffee Road.
(Continued from the March 3, 1981, meeting and the March 10, 1981, meeting.)
Councilmember Patterson excused since he was not on the Council when the first part of the hearing was held.

ACTION: By motion (Muratore/Siefkin, unan., Patterson absent) Ord. No. 2032-C.S. introduced.
Res. 81-238 adopted (same vote) certifying review of Environmental Assessment and approving plan.

- Res. 81-239 adopted (same vote) approving agreement for acquisition of property.
(Clerk/Planning to handle)
8. Hearing on amendment to Section 10-3-9 of the Zoning Map to rezone from R-3 to P-D(298), property located at the southeast corner of Coffee Road and Sylvan Avenue to allow a professional office park including a financial institution. (Robert Weeks)
(On March 3, 1981, Council indicated its intention to continue hearing to May 12, 1981, at 7:30 p.m., at the applicant's request.)

ACTION: By motion (Siefkin/Bright, unan.) hearing continued to May 12, 1981,
7:30 p.m. (Clerk to handle)

9. Hearing on amendment to Section 8-4-9 of the Zoning Map to rezone from R-1 to P-D(299) property located on the north side of Whitmore Avenue west of Crows Landing Road to allow a combination garden home and zero lot line patio home subdivision. (Whitmore Plaza Associates)

ACTION: By motion (Siefkin/Bright, majority, Elliott, Lang and Patterson - no) Ord. No. 2033-C.S. introduced.

Res. 81-240 adopted (same vote) approving plan.

Res. 81-241 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

10. Hearing on amendment to P-D(127) located at the northeast corner of Oakdale Road and East Orangeburg, to allow a family amusement machine center. (Calvin D. Henne)

ACTION: By motion (Siefkin/Muratore, unan.) hearing continued to April 21, 1981,
4:00 p.m. (Clerk to handle)

11. Hearing on appeal by Scott Johnson to a decision of the Board of Building Appeals concerning property located at 1418 - 1430 I Street.

ACTION: Res. 81-242 adopted (Elliott/Siefkin, unan.) denying appeal. (P.W. to handle)

Appeal was denied except that only one doorway would be required in the basement if the space is reduced to approximately 500 sq. ft., with all work in the individual units to be taken care of within four months and all work to be done within six months.

BIDS

CONSENT

12. Consider approval of plans and specifications and call for bids for the construction of the McHenry Museum elevator.
(The elevator is needed to provide access to the museum for handicapped persons. Suggested bid opening date is April 28, 1981, at 11:00 a.m. Funds are budgeted. Resolution approving plans and specifications and calling for bids needed. Estimated Cost \$133,000 (Constr. \$109,500; Eng. & Contg. \$23,500).

ACTION: Res. 81-243 adopted calling for bids. (P.W. to handle)

CONSENT

13. Consider approval of plans and specifications and call for bids for refinishing Downey and Davis Park tennis courts.
(Suggested bid opening: April 28, 1981, at 11:15 a.m. The wear surface on the tennis courts is worn. This is a regularly scheduled maintenance project budgeted by the Parks and Recreation Department. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$28,600 (Contr. \$26,000; Eng. \$2,600).

ACTION: Res. 81-244 adopted calling for bids. (P.W. to handle)

CONSENT

14. Consider declaring Pacific Pipeline Products low bidder and authorize the purchase of one 8-inch compound water meter from the firm for the total price of \$6,095.
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 81-245 adopted authorizing purchase. (Finance to handle)

CONSENT

15. Consider awarding three contracts to construct Interim Bus Terminal, Ninth and I Streets.
(Memo with agenda. One contract would demolish the former Book Nook building at a cost of \$2,390. The second would install improvements for \$21,320. The third will purchase and install three 1,500 sq. ft. passenger shelters, \$16,500. Three resolutions awarding three contracts, and one resolution authorizing an appropriation transfer needed. Estimated Cost: \$40,210. Funds are budgeted.)

ACTION: Res. 81-246 adopted/contract to Morrow & Waggoner for demolition of former Book Nook building at Ninth and I Street.
Res. 81-247 adopted awarding contract to Rolfe Construction to install improvements at Interim Bus Terminal site.
Res. 81-248 adopted awarding contract to Ace Aluminum Company for supplying and installing three bus passenger shelters.
Res. 81-249 adopted approving appropriation transfer for Interim Bus Terminal site work. (P.T. to handle)

CONSENT

16. Consider acceptance of Western Pipeline, Inc.'s contract for the construction of waterline extension at Budd and Newell as complete. (Original contract: \$42,746)
(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: \$41,777.70. Funds are budgeted.)

ACTION: Res. 81-250 adopted accepting work as complete. (Clerk to handle)

CONSENT

17. Consider waiving formal bid procedures and authorize the purchase of one vertical turbine pump and motor from Stanislaus Pump for the total price of \$7,966.70. (Memorandum with agenda. Resolution waiving formal bid procedures and authorize purchase needed. Funds are budgeted. Five affirmative votes needed.)

ACTION: Res. 81-251 adopted waiving formal bid and authorizing purchase. (Finance to handle)

CONSENT

18. Waiver of bid procedure and approval of purchase or emergency services exceeding \$5,000. Section 8-3.07 (a) of the Municipal Code establishes the authority for emergency purchases necessary for the preservation of life, health, or property. Council approval is required for purchase exceeding \$5,000. (On Friday, January 30, 1981, we experienced a failure of our Emerald Avenue trunk sewer line just south of MID Lateral No. 4. It was necessary to obtain the services of a contractor to effect repairs. Memo with agenda. Resolution approving emergency purchase in excess of \$5,000 needed. Five affirmative votes needed. Estimated cost: \$6,752.64; funds are budgeted.)

ACTION: Res. 81-252 adopted approving emergency purchase. (P.W. to handle)

CONSENT

19. Consider approval of plans and specifications and call for bids for construction of T-hangar(s), Modesto City-County Airport/Harry Sham Field. (Suggested bid opening: May 5, 1981, at 11:05 a.m. The 1980-81 Airport Budget includes the construction of a 10-unit aircraft storage hangar for private and corporate use. Plans and specifications have been prepared and the project is now ready to go to bid. Memo with agenda. Resolution approving plans and specifications for Alternative 2 and call for bids needed. Estimated cost: \$153,151 (Contract \$146,190; Engrg. \$6,961); funds are budgeted.)

ACTION: Res. 81-253 adopted calling for bids. (P.W. to handle)

CONSENT

20. Consider approval of plans and specifications and call for bids for heater remix and slurry seal, Spring 1981. (This project is part of an on-going street maintenance program. Suggested bid opening: April 28, 1981, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$85,690 (Contract \$77,900; Engrg. \$7,790); funds are budgeted.)

ACTION: Res. 81-254 adopted calling for bids. (P.W. to handle)

CONSENT

21. Consider approval of plans and specifications and call for bids for the Trask Lane reconstruction from Yosemite Boulevard to Haddon Avenue. (Suggested bid opening: April 28, 1981, at 11:10 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$113,332.36 (Contract \$96,810.75; Engrg. \$14,521.61); funds are budgeted.)

ACTION: Res. 81-255 adopted calling for bids. (P.W. to handle)

WRITTEN COMMUNICATIONS

CONSENT

22. Request by Citizens for the Great Stanislaus Resource Rally for City Council endorsement of a litter control and recycling program, April 20 - 26th, 1981.
(Resolution endorsing program needed.)

ACTION: Res. 81-256 adopted endorsing program. (P.W. to handle)

23. Request by Bob and Connie Swain, Modesto Coin Center owners, for a change in Fire Code Section 10.104 (b).

ACTION: By motion (Elliott/Lang, unan.) continued to May 5, 1981, at 4:00 p.m. Mr. & Mrs. Swain's request. (Clerk to handle)

24. Letter from Margaret Cardoza concerning City trees.

ACTION: Res. 81-257 adopted (Elliott/Siefkin, unan.) denying appeal and directing staff to proceed with implementing the existing tree planting policy. (P.R. to handle)

CONSENT

25. Letter from Dan Pollock resigning from the Farm-City Advisory Committee.
(Resolution accepting resignation with regret needed.)

ACTION: Res. 81-258 adopted accepting resignation with regret. (Clerk to handle)

CONSENT

26. Resignation of Al Lehman and Glenn Smith from the Housing Program's Neighborhood Advisory Committee No. 2.
(Resolution accepting resignations with regret needed.)

ACTION: Res. 81-259 adopted accepting resignations with regret. (Clerk to handle)

27. Request by Fourth of July Celebration Committee for assistance with the parade, Picnic in the Park, and the fireworks.
(Motion referring to staff for recommendation needed.)

ACTION: By motion (Patterson/Lang, majority, Elliott and Siefkin-no) permission granted to hold a 2-day celebration in the parks with activities not to begin before noon on Friday. (Mgr. to handle)

- By motion (Lang/Muratore, unan.) request referred to staff for recommendation.
28. Request by Leukemia Society of America for assistance with a walk-a-thon to be held April 18, 1981
(Motion referring to staff needed.)

ACTION: By motion (Elliott/Siefkin, unan.) request denied.

CONSENT

29. Request to continue the hearing on the appeal by Setliff Bros. to a Board of Zoning Adjustment decision regarding a conditional use permit, property located at 7th Street and Tuolumne Boulevard, from April 21, 1981, to June 16, 1981, at 4:00 p.m. (Motion declaring Council's intention to continue the hearing needed.)

ACTION: By motion, Council declared its intention to continue hearing to June 16, 1981, 4:00 p.m. (Clerk to handle)

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

None

NEW BUSINESS

31. Policy for walls and landscaping along major streets.
(Memo with agenda. The Planning Commission has made three recommendations:
1. For backup lot projects with Homeowners Associations maintaining landscaping, walls be set back 10-foot minimums, developer install landscaping and irrigation, Homeowners Associations maintain.
 2. For backup lot projects without Homeowners Associations maintaining landscaping, developer install landscaping and drip irrigation system for street trees and planters at selected intervals, City maintain.
 3. For existing backup lots with 5-foot dirt/weed strips, as City finances permit, City install full sidewalk with planters at selected intervals, drip irrigation system for street trees and planters, City maintain.

(Motion directing staff as to the desired components in the City's policy needed.)

ACTION: By motion (Bright/Siefkin, unan.) this item delayed one week.

CONSENT

32. Consider approving free transit rides for the general public on Saturday, May 9, 1981. (Memo with agenda. The free bus and Dial-A-Ride service would help promote energy awareness and interest in the fourth annual Stanislaus Solar and Energy Conservation Faire to be held on May 9, 1981. Motion approving free transit rides on Saturday, May 9, 1981, needed. Estimated revenue loss: \$850.)

ACTION: By motion, free bus rides on May 9, 1981, approved. (P.T. to handle)

CONSENT

33. The current fee for an inspection to determine whether a building complies with the Uniform Housing Code or Dangerous Buildings Code is \$20. It is proposed that the fee be increased to \$30 to reflect the current cost of the inspection.
(Memo with agenda. Resolution setting fee at \$30 needed.)

ACTION: Res. 81-260 adopted setting fee at \$30.

(P.W. to handle)

CONSENT

34. Consider accepting right of entry agreement with Gary and Myrna Gervasoni for an alley improvement project.
(As part of a City alley reconstruction project an underground tank will be removed which encroaches onto Mr. and Mrs. Gervasoni's property. The right of entry allows the City to remove the tank. Resolution accepting right of entry needed.)

Dropped from agenda.

CONSENT

35. Consider approving agreement with Self-Help Program, Inc., New Directions for Women for on-the-job training.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 81-261 adopted approving agreement.

(Mgmt. Serv. to handle)

CONSENT

36. Consider request for sewer service to property outside City limits at 308 Crater Avenue located on the south side of Crater Avenue between Cascade Avenue and Crystal Avenue.
Owners: John R. and Linda S. Coffey
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to City limits. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 81-262 adopted approving agreement.

(P.W. to handle)

CONSENT

38. Consider approving agreement with Glenn L. and Peggy L. Britt for the acquisition of an avigation easement for the Modesto City-County Airport/Harry Sham Field.
(The Britts have agreed to sell the required avigation easement which contains .82± acres for the appraised value of \$3,000. This easement is required by the Federal Aviation Administration. The easement is located off the end of Runway 28R. This is the first of five easements needed for this project. Resolution approving agreement needed. Estimated cost: \$3,500 (\$3,000 easement; \$500 escrow est.); funds are budgeted

ACTION: Res. 81-263 adopted approving agreement.

(P.W. to handle)

CONSENT

39. Consider approving rental agreement with Russell and Jean Taylor for rent of Acme Cleaners (former McCumber property) located on old Lincoln School site.
(This is a month-to-month renewal of a one year lease. Agreement is for \$200 per month, plus taxes and utilities. Resolution approving agreement needed.)

ACTION: Res. 81-264 adopted approving agreement. (P.W. to handle)

CONSENT

40. Recommendations of Board of Realtors Community Housing Rehabilitation and Revitalization Task Force.
(This Board of Realtors Task Force has recommended several Code changes to allow additional units on residential lots. Motion acknowledging receipt of report and referring to Planning Commission for review and recommendation needed.)

ACTION: By motion, receipt of report acknowledged and report referred to Planning Commission. (Planning to handle)

CONSENT

41. Report of the Director of Public Works on the cost of installation of improvements at the southeast corner of La Loma and Santa Barbara Avenues for the parcels listed below as authorized by City Council Resolution No. 80-1211.
(All improvements have been installed as provided by Section 4-4.508 et.seq. of the Modesto Municipal Code, and it is therefore in order to set a public hearing as per Section 4-4.516 to act upon the report. Resolution setting hearing April 28, 1981, at 7:30 p.m. needed.)

- a. Parcel B of Volume 26 of Parcel Maps, Page 20, on the south side of La Loma Avenue east of Santa Barbara Avenue. (George De Ponte) \$2,115.56
- b. Parcels A and D of Volume 26 of Parcel Maps, Page 20, on the east side of Santa Barbara Avenue south of La Loma Avenue. (Lester R. Romine) \$3,536.34

ACTION: Res. 81-265 adopted setting hearing. (Clerk to handle)

CONSENT

42. Consider amendment to Position Classification Plan and amendment to resolution which establishes salary schedules.
(Memorandum with agenda. Resolution amending Position Classification Plan needed and resolution amending resolution which establishes salaries needed.)

ACTION: Res. 81-266 adopted amending Position Classification Plan.
Res. 81-267 adopted establishing salaries. (Mgmt. Serv. to handle)

CONSENT

43. Consider LAFCO Questionnaire regarding the proposed Legion Park No. 2 Governmental Reorganization to the City of Modesto.
(The proposed annexation consists of approximately 4.8 acres on the west side of South Santa Cruz Avenue adjacent to Legion Park. The properties were purchased jointly by the City of Modesto, City of Ceres and Stanislaus County for the Tuolumne River Regional Park. It includes Legion Hall and a mobile home. Memo, map and Questionnaire with agenda. Resolution approving LAFCO Questionnaire needed.)

ACTION: Res. 81-268 adopted approving LAFCO Questionnaire. (Planning to handle)

CONSENT

44. Consider LAFCO Questionnaire regarding the proposed Beverly-Harris Annexation to the City of Modesto.
(This annexation proposal consists of approximately 10.2 acres on the west side of Harris Avenue and the intersection of Beverly Drive and Paradise Road. It includes 21 single family dwellings, two duplexes, three commercial uses and a church. Memos, maps and Questionnaire with agenda. Resolution approving LAFCO Questionnaire needed.)

ACTION: Res. 81-269 adopted approving LAFCO Questionnaire. (Planning to handle)

CONSENT

45. Consider LAFCO Questionnaire regarding the proposed Sunset Avenue Governmental Reorganization.
(The proposed annexation consists of approximately 7.6 acres located on the east side of Sunset Avenue between South Avenue and Rouse Avenue. It consists of properties acquired by the City for a neighborhood park and expansion of an existing soccer field. All of the properties are vacant. Memo, maps and questionnaire with agenda. Resolution approving LAFCO Questionnaire needed.)

ACTION: Res. 81-270 adopted approving LAFCO Questionnaire. (Planning to handle)

CONSENT

47. Consider Northumberland Drive Governmental Reorganization to the City of Modesto.
(On March 18, 1981, LAFCO approved the Northumberland Drive Governmental Reorganization to the City of Modesto. The governmental reorganization would include annexation to the City, detachment from the McHenry-Dry Creek Fire District and annexation to the Modesto Municipal Sewer District No. 1. LAFCO has authorized the Council to proceed without notice, hearing or election. LAFCO resolution, environmental information and maps with agenda. Resolution ordering the Northumberland Drive Governmental Reorganization and certifying review of environmental impact needed.)

ACTION: Res. 81-271 adopted ordering the Northumberland Drive Governmental Reorganization.
(Clerk/Planning to handle)

CONSENT

48. Consider applying for the Federal Historical Preservation Grants-in-Aid Funds for the installation of the elevator at McHenry Mansion.
(Grant funds for historical preservation are available through the Federal Historical Preservation Grants-in-Aid program for fiscal year 1982. Staff recommends application for \$130,000 for the installation of the elevator at McHenry Mansion. Resolution approving application needed.)

ACTION: Res. 81-272 adopted approving application. (P.R. to handle)

CONSENT

49. Consider grant application for California Parklands Act of 1980 funds for Roselle Neighborhood Park site - land acquisition.
(Memo with agenda. Resolution approving grant application needed.)

ACTION: Res. 81-273 adopted approving grant application. (P.R. to handle)

CONSENT

50. Consider grant application for California Parklands Act of 1980 funds for Beyer Community Park development, ballfield lights and a portion of the path lights.
(Memo with agenda. Resolution approving grant application needed.)

ACTION: Res. 81-274 adopted approving grant application. (P.R. to handle)

CONSENT

51. Consider approval of addendum to the City's agreement with Crosby Thornton Marshall Associates for first phase plans and specifications for the McHenry Mansion.
(Memorandum with agenda. Resolution approving addendum to agreement needed and resolution approving transfer from Contingency Reserve to McHenry Mansion Restoration Account needed. Estimated cost: \$5,100)

ACTION: Res. 81-275 adopted approving addendum to agreement.
Res. 81-276 adopted approving appropriation transfer. (P.R./Finance to handle)

CONSENT

52. Consider amendment to Voluntary Deferred Compensation Plan.
(Memo with agenda. Resolution approving participation by elected officials in the City of Modesto voluntary deferred compensation plan needed.)

ACTION: Res. 81-277 adopted approving participation. (Mgmt. Serv. to handle)

MISCELLANEOUS

CONSENT

53. Legislation: Staff recommends:

OPPOSING

SUPPORTING

- | | |
|---|---|
| * AB 112 (Lockyer) - Industrial Development Financing Authority | AB 290 (Franzee) - Annexation & Detachment |
| * Dropped from agenda. | |
| AB 379 (Chacon) - Airport Baggage Security | AB 601 (McAlister) - Tort Claims Against Cities |
| SB 426 (Boatwright) - Binding Arbitration | SB 4 (Rains) - Bottle Bill |
| (Memo with agenda. Motion opposing AB 601 and SB 4 needed.) | AB 397 and SB 426, and supporting AB 290, |

ACTION: By motion, recommendation approved.

(Mgmt. Serv. to handle)

54. Appointments

None

55.

MATTERS TOO LATE FOR THE AGENDA

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

None

CLOSED SESSION

56. Closed session concerning an employees relations matter.

ADJOURNMENT

Council adjourned to closed session at 7:15 p.m. and did not return to open session.

ATTEST: 
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 14, 1981, 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: Rev. Leon Plante, St. Paul's Episcopal Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 9, 10, 11, 12, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29

DROPPED FROM AGENDA: 30

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

Mayor Mensinger introduced Man Wai Lau, who is visiting her.

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular City Council meeting of April 3, 1981, and the regular meeting of April 7, 1981.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Consider objection to Standiford restriping plan in the vicinity of Columbine Drive. (Report with agenda. Two new matters have arisen that affect the plans for restriping Standiford. One is an objection to the loss of parking on the north side of Standiford. The other is a recent approval to allow another collector street to enter Standiford just west of the Tidewater Southern Railroad tracts. Motion directing staff which option the Council prefers needed. Transfer will be requested after a plan has been adopted and bids received.)

ACTION: By motion (Muratore/Elliott, unan.) it was agreed to discuss this item in conjunction with item 6.

By motion (Muratore/Siefkin, majority, Elliott and Lang-no) staff directed to prepare plans with a shortened turning lane west of Columbine, retaining as much parking on the north side of Standiford as possible. (P.T. to handle)

4. Policy for Walls and Landscaping Along Major Streets.
(Memo with agenda. The Planning Commission has made three recommendations:
1. For backup lot projects with HOA maintaining landscaping, walls be set back 10' minimums, developer install landscaping and irrigation, HOA maintain.
 2. For backup lot projects without HOA maintaining landscaping, developer install landscaping and drip irrigation system for street trees and planters at selected intervals, City maintain.
 3. For existing backup lots with 5' dirt/weed strips, as City finances permit, City install full sidewalk with planters at selected intervals, drip irrigation system for street trees and planters, City maintain.
- Motion directing staff as to the desired components in the City's policy needed.
Continued from the Council meeting of April 7, 1981.)

(HOA - Homeowners Association)

ACTION: By motion (Elliott/Lang, unan.) Planning Commission recommendation approved.

HEARINGS

5. Hearing on appeal by McHenry Station Restaurant to a decision of the Board of Zoning Adjustment concerning amendment of their H-1 Use Permit. (Michael Tedesco)

ACTION: Res. 81-278 adopted (Siefkin/Lang, majority, Patterson and Mensinger-no) denying appeal.

6. Hearing on unclassified use permit to the Big Valley Grace Community Church to expand the parochial school facilities and construct a new sanctuary, property located at the northeast corner of Columbine Drive and Standiford Avenue.

ACTION: Res. 81-279 adopted (Lang/Siefkin, unan.) granting amendment to the unclassified use permit. (Planning to handle)

7. Hearing on amendment to P-D(263), property located at the southeast corner of Blue Gum Avenue and Morse Road to allow a combination two-story apartment complex and a zero lot line patio home subdivision. (Rule Enterprises)

ACTION: By motion (Lang/Siefkin, majority, Patterson-no) Ord. No. 2034-C.S. introduced.
Res. 81-280 adopted (same vote) approving plan. (Clerk/Planning to handle)

BIDS

8. Consider approval of plans and specifications and call for bids for the reconstruction of sanitary sewer on Duncan Avenue, Chabot Avenue and Muir Road. (Suggested bid opening: May 5, 1981 at 11:10 a.m. This project is to replace an existing sewer line in an area in which we are experiencing maintenance problems with tree root intrusion. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$85,082.80 (Contr. \$77,348; Eng. \$7,734.80). Funds are budgeted.) Councilmember Elliott excused due to a conflict of interest.

ACTION: Res. 81-281 adopted (Siefkin/Bright, unan., Elliott absent) calling for bids. (P.W. to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for wheelchair ramps at various locations in the City of Modesto. (The Mayor's Handicapped Advisory Committee initiated the selection and number of returns to be reconstructed to provide access for the handicapped. The proposed ramps are primarily on streets at the Junior College and major hospital facilities. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$38,500 (Constr. \$35,000; Eng. \$3,500). Funds are budgeted. Suggested bid opening date: April 28, 1981, at 2:00 p.m.)

ACTION: Res. 81-282 adopted calling for bids. (P.W. to handle)

CONSENT

10. Consider approval of plans and specifications and call for bids for reconstruction of College Avenue from Briggsmore to Davis Park. (The road surface has deteriorated and needs repair. This project will also reduce the flooding between Bowen and Durant on College Avenue. Suggested bid opening date is May 5, 1981 at 11:00 a.m. Funds are budgeted. Resolution approving plans and specifications and calling for bids needed. Estimated Cost; \$163,000 (Constr. \$146,000; Eng. & Contg. \$17,000 .)

ACTION: Res. 81-283 adopted calling for bids. (P.W. to handle)

CONSENT

11. Consider award of contract for the construction of wheelchair ramps at various City parks. (Bids were opened on April 7, 1981. The low bid of \$8,892, submitted by George Reed, Inc. is 27% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to George Reed, Inc. Resolution awarding contract to George Reed, Inc. needed. Funds are budgeted.)

ACTION: Res. 81-284 adopted awarding contract. (P.W. to handle)

CONSENT

12. Consider purchasing 275 cases of plastic can liners from the Zellerbach Paper Company for the total price of \$7,491.55. (Memorandum with agenda. Resolution authorizing the purchase of 275 cases of plastic can liners needed. Funds are budgeted.)

ACTION: Res. 81-285 adopted authorizing purchase. (Finance to handle)

WRITTEN COMMUNICATIONS

13. Letter from Mike Herron, Head Rest Director, concerning redirection of funds allocated to Head Rest.

ACTION: Mike Herron will present further information at some future time.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

15. West Campus Business Center - Installation of offsite improvements. (Applicant wants no parking zones designated on Cummins Drive, Blue Gum Avenue, and Carpenter Road adjacent to site and a reduction in sidewalk standards - sidewalks one side of street only, Cummins Drive, and 5' rather than 10' sidewalk adjacent to proposed neighborhood shopping center. Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Muratore/Lang, unan.) approval given to "no parking" request, and staff requested to look into possibility of limiting sidewalk to one side of street only. (P.W. to handle)

16. Report on street construction activity in the Veneman Avenue area. (On May 5, 1980, following a public hearing pertaining to the closure of Veneman Avenue at Standiford Avenue the Council directed staff to report back on the imminent construction of collector streets in the area. Report with agenda. Motion acknowledging receipt of report and referring matter to the Planning Commission or deferring action until additional street activity occurs needed.)

ACTION: By motion (Elliott/Bright, unan.) staff directed to meet with the property owner concerning right-of-way and report back to Council. (Planning to handle)

CONSENT

17. Revised City of Modesto Emergency Services Operational Plan. (1976 Plan has been revised and updated to current status. Memo with agenda. Resolution approving plan needed.)

ACTION: Res. 81-286 adopted approving plan.

(Fire to handle)

CONSENT

18. Consider LAFCO Questionnaire regarding the proposed Whitmore No. 3 Annexation. (The proposed annexation consists of 46.47 acres located on the north side of Whitmore Avenue, east of Ustick Road. It contains 20 single family dwellings and approximately 42 acres of agricultural land. Memo, map and questionnaire with agenda. Resolution supporting annexation only if property taxes can be negotiated with the County needed.)

ACTION: Res. 81-287 adopted supporting annexation only if property taxes can be negotiated with the County. (Planning to handle)

CONSENT

19. Cinco de Mayo Celebration on May 9, 1981. (Casa, a local community center, is seeking permission to hold a parade and a celebration in West Side Park for Cinco de Mayo on May 9, 1981. Memorandum with agenda. Resolution giving permission for parade and celebration needed.)

ACTION: Res. 81-288 adopted giving permission for parade and celebration. (P.R. to handle)

CONSENT

20. Consider approving renewal of concession agreement at Modesto City-County Airport/Harry Sham Field with B. Dennis McDonald of Red Top Taxi. (Agreement is a renewal of an existing concession agreement. Agreement is for one year at \$140 per year. Rate is consistent with other taxi agreements. Resolution approving concession agreement needed.)

ACTION: Res. 81-289 adopted approving concession agreement. (P.W. to handle)

CONSENT

21. Consider approving lease agreement with Kenneth K. and Susan K. Holcomb for lease of the former Crismon house located on future Dry Creek Park area. (The new tenants have agreed to rent on a month-to-month tenancy at \$455 per month plus taxes and utilities. Former tenant was paying \$400 per month. The Holcombs have also agreed to do certain repairs and painting for two weeks' free rent. They have also placed a \$200 security deposit with the City. Resolution approving lease agreement needed.)

ACTION: Res. 81-290 adopted approving lease agreement. (P.W. to handle)

CONSENT

22. Consider approving an amendment to the Dial-A-Ride agreement between the City and Storer Transportation. (Memo with agenda. The amendment would change from 5 years to 2 years the licensed driving experience requirement for Dial-A-Ride vehicle drivers. Resolution approving the amendment needed.)

ACTION: Res. 81-291 adopted approving the amendment. (P.T. to handle)

CONSENT

23. Consider amendments to Position Classification Plan and amendments to resolution which establishes salary schedules.
(Memorandum with agenda. Resolution amending Position Plan needed, and resolution amending resolution which establishes salaries needed.)

ACTION: Res. 81-292 adopted amending Position Plan.

Res. 81-293 adopted amending resolution which establishes salaries.

(Management Services to handle)

CONSENT

24. Consider revision of fees for encroachment permits which are issued for work done in the right of way.
(The fees cover the cost of inspection, engineering surveys, and paving by City crews in conjunction with encroachment permits. The existing schedule was adopted October 1977. The proposed fee schedule reflects the increased cost of performing the City responsibilities in conjunction with encroachment permits. Memo with agenda. Resolution revising fees needed.)

ACTION: Res. 81-294 adopted revising fees.

(P.W. to handle)

CONSENT

25. Consider setting Hearing of Necessity to acquire a portion of the Birt A. Lowery property for the Sylvan-McHenry to Coffee street widening project.
(Staff has been negotiating for some time with Mr. Lowery to acquire the required property. So far negotiations have not been successful. Memo with agenda. Resolution setting hearing on May 19, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-295 adopted setting hearing.

(Clerk to handle)

CONSENT

26. Recommend to Council an amendment to Section 9-3-9 of the Zoning Map - Dean Russell, Stanley Smith, and Edmund Smith.
(On April 6, 1981, the Planning Commission adopted Resolution 81-88 recommending to the Council an amendment to Section 9-3-9 of the Zoning Map to rezone from R-2 to P-D(301) property located around Las Cruces Court, west of Coffee Road, to allow a 20-unit, one-story residential condominium. Resolution setting public hearing May 12, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-296 adopted setting hearing.

(Clerk to handle)

CONSENT

27. Presentation of Financial Statement for March, 1981.
(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 annual claim for Local Transportation funds and State Transit Assistance funds.
(Each year the City of Modesto makes a claim to the Stanislaus Area Association of Governments (SAAG) for its apportionment of Local Transportation funds. This year's claim is for \$3,977,757. Resolution authorizing submission of the annual transportation claim needed.)

ACTION: Res. 81-297 adopted authorizing submission of the annual transportation claim.
(Finance to handle)

MISCELLANEOUS

APPOINTMENTS

CONSENT

29. Consider changing policy regarding City Council Appointments Committee to include the appointment of an alternate member.
(Copy of revised policy with agenda. Resolution amending policy needed.)

ACTION: Res. 81-298 adopted amending policy. (Manager to handle)

CONSENT

30. Consider resolution appointing City Councilmembers to Committees.
(List with agenda. Resolution approving appointments needed.)

Dropped from agenda.

31. Other appointments

ACTION: Res. 81-299 adopted (Siefkin/Muratore, unan.) appointing to the Airport Advisory Committee: Louis Rolle, Sheila Yuter, Jim Sorensen, C.K. Gottschalk, and Jim Breshear, and acknowledging Stanislaus County's appointment of Michael Lowe and Ben Bergman, terms to be determined by lot.

MATTERS TOO LATE FOR THE AGENDA

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

None

The meeting adjourned at 11:55 p.m.

ATTEST: 
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 21, 1981, 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. Tom Foster, St. Paul's Episcopal Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 8, 9, 10, 13, 14, 15, 16,
17, 18, 20, 21, 22, 23, 24, 25, 26, 27,
Dropped from Consent: 11 28a, 28b, 28c, 28d, 28e, 28f, 28g, 29

ACTION: Lang/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. None

ACKNOWLEDGEMENTS

MINUTES

CONSENT

2. Approval of the minutes of the April 14, 1981, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of Ordinance 2032-C.S. rezoning from R-2 and C-1 to P-D(300), property located on the north side of Scenic east of Coffee Road (Sidney Rogers, Scenic Nursery)
(Motion adopting needed.)

ACTION: By motion, Ord. 2032-C.S. adopted.

(Clerk to handle)

4. Final adoption of Ord. No. 2033-C.S. rezoning from R-1 to P-D(299) property located on the north side of Whitmore Avenue west of Crows Landing Road for a garden home and zero lot line patio home subdivision. (Whitmore Plaza Associates)
(Motion adopting needed.)

ACTION: By motion (Siefkin/Muratore, majority; Elliott, Lang, & Patterson-no) Ord. No. 2033-C.S. adopted.

(Clerk to handle)

5. Final adoption of Ord. No. 2034-C.S. amending P-D(263), property located at the southeast corner of Blue Gum Avenue and Morse Road to allow an apartment complex and zero lot line patio home subdivision. (Rule Enterprises)
(Motion adopting needed.)

ACTION: By motion (Bright/Siefkin, majority, Patterson-no) Ord. No. 2034-C.S. adopted.
(Clerk to handle)

HEARINGS

6. Appeal by Setliff Bros. to a Board of Zoning Adjustment decision regarding a conditional use permit, property at 7th Street and Tuolumne Boulevard.
(On April 7, 1981, Council indicated its intention to continue this hearing to June 16, 1981, 4:00 p.m., at the appellant's request.)

ACTION: By motion (Lang/Muratore, unan.) this hearing continued to June 16, 1981, 4:00 p.m.
(Clerk to handle)

7. Hearing on amendment to P-D(127) located at the northeast corner of Oakdale Road and East Orangeburg, to allow a family amusement machine center. (Calvin D. Henne)
(Continued from April 7, 1981, Council meeting.)

ACTION: Res. 81-300 (Siefkin/Lang, unan.) denying without prejudice. (Clerk to handle)

BIDS

CONSENT

8. Consider award of contract for the construction of Well #45 at Mancini Park.
(Bids were opened on April 7, 1981. It is recommended that the contract be awarded to Central Pump whose bid is 12% above the engineer's estimate and considered acceptable. Memo with agenda. Resolution awarding contract to Central Pump needed. Estimated Cost: \$14,561. Funds are budgeted.)

ACTION: Res. 81-301 adopted awarding contract to Central Pump. (P.W. to handle)

CONSENT

9. Consider acceptance of CDR Construction's contract for the reconstruction of Pump Station No. 40 as complete. (Original contract: \$115,575)
(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: \$116,747. Funds are budgeted.)

ACTION: Res. 81-302 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

10. Appeal by Bright Development to a decision of the Planning Commission concerning zoning of property at the southwest corner of Hahn and Veneman.
(Resolution setting hearing May 12, 1981, 7:30 p.m. needed.)

ACTION: Res. 81-303 adopted setting hearing. (Clerk to handle)

11. Request from American Synfuel, Inc. for a 20-year contract to receive the City's garbage.
(Motion referring request to staff for recommendation needed.)

ACTION: By motion (Patterson/Siefkin, unan.) request referred to staff for recommendation.
(P.W. to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

CONSENT

13. Renewal of food concession at Beard Brook Park.
(Mr. Charles Wright has requested the renewal of his contract to operate a food concession at Beard Brook Park. The City's relationship with Mr. Wright regarding the concession has been most satisfactory, and it is recommended that the contract be renewed for one year (5-1-81 to 4-30-82). All the terms and conditions which applied under the last agreement will remain in force, with the following exceptions in Appendix A requested by Mr. Wright: #2. Candy - from 25¢ to 30¢. Resolution approving agreement needed.)

ACTION: Res. 81-304 adopted approving agreement. (P.R. to handle)

CONSENT

14. Consider amendment to accessway agreement pertaining to property owned by M.G.B. Properties at the northwest corner of McHenry and Rumble.
(The amended agreement is to allow relocation of accessways established as conditions of prior H-1 Use Permit and parcel map approval. The new accessways to serve the current development plan for the property have been approved by the Planning Commission. Resolution approving amended accessway agreement needed.)

ACTION: Res. 81-305 adopted approving amended accessway agreement. (P.W. to handle)

CONSENT

15. Consider request for water service to property outside City limits at 1712 Midway Avenue, located on the east side of Midway between Nelson Way and Parklawn Avenue.
Owner: Craig R. Hensley
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to City and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 81-306 adopted approving agreement. (P.W. to handle)

CONSENT

16. Consider request for sewer service to property outside City limits at 823 Seybold Avenue, located on the west side of Seybold Avenue between California Avenue and Briggs Avenue. Owners: Robert and Jeanette J. Hayes
(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. 81-307 adopted approving agreement.

(P.W. to handle)

CONSENT

17. Consider approving the installation of a mid-block crosswalk on East Granger Avenue at McHenry Village.
(Memo with agenda. The mid-block crosswalk would facilitate transferring about 125 daily bus patrons and others to cross Granger Avenue at the Village. Resolution authorizing the installation of the mid-block crosswalk needed. Estimated Cost: \$100. Funds are budgeted.)

ACTION: Res. 81-308 adopted authorizing installation of crosswalk.

(P.T. to handle)

CONSENT

18. Consider LAFCO Questionnaire regarding the proposed "Lone Palm No. 1 Governmental Reorganization" to the City of Modesto.
(The annexation proposal, submitted to LAFCO by the applicant, consists of 3.5 acres on the east side of Lone Palm Avenue, north of Kansas Avenue. It contains 3 single-family dwellings. This area is prezoned M-1. Memo, maps, and questionnaire with agenda. Resolution approving LAFCO Questionnaire needed.)

ACTION: Res. 81-309 adopted approving LAFCO Questionnaire.

(Planning to handle)

CONSENT

20. Adoption of 1979 Uniform Fire Code with amendments, including sprinkler ordinance.
(Resolution setting informal public hearing for April 28, 1981, 7:30 p.m. needed.)

ACTION: Res. 81-310 adopted setting hearing.

(Clerk to handle)

CONSENT

21. Consider setting public hearing on the filing of a Federal transit operating assistance grant for fiscal year 1981-82.
(Memo with agenda. The grant, if approved, will cover \$1,112,199 of the estimated \$2,226,398 net cost we may incur on the City's two transit systems (Intracity Transit and Dial-A-Ride) during fiscal year 1981-82. Resolution setting the public hearing for 4:00 p.m. on 6/2/81 needed. Funds will not be spent until fiscal year 1981-82.)

ACTION: Res. 81-311 adopted setting hearing.

(Clerk to handle)

CONSENT

22. Recommend to Council an amendment to Section 12-3-8 of the Zoning Map, P-D(192) to R-1 (Bright Development)
(On April 6, 1981, the Planning Commission adopted Resolution 81-90 denying an amendment to P-D(192) and recommending to the City Council an amendment to Section 12-3-8 of the Zoning Map to rezone from P-D(192) to R-1, property located at the southwest corner of Hahn and Veneman. Resolution setting public hearing May 12, 1981, 7:30 p.m. needed.)

ACTION: Res. 81-312 adopted setting hearing.

(Clerk to handle)

CONSENT

23. Recommend to Council an amendment to Section 25-3-8 of the Zoning Map (Lester and Corliss Maxfield).
(On April 6, 1981, the Planning Commission adopted Resolution 81-91 recommending to the Council an amendment to Section 25-3-8 of the Zoning Map to rezone from a portion of P-D(255) to R-1, and for an amendment to P-D(255) to allow lowering from 8-foot to 7-foot all patio walls and fences except for the north and east boundaries, property located east of Shasta south of Woodland. Resolution setting public hearing May 12, 1981, 7:30 p.m. needed.)

ACTION: Res. 81-313 adopted setting hearing.

(Clerk to handle)

CONSENT

24. Recommend to Council an amendment to Section 8-4-9 of the Zoning Map (World Investment No. 4).
(On April 5, 1981, the Planning Commission adopted Resolution 81-87 recommending to the City Council an amendment to Section 8-4-9 of the Zoning Map to rezone from R-1 to R-2, property located on both sides of Hatch Road west of Dallas Street. A resolution setting public hearing May 19, 1981, 4:00 p.m. needed.)

ACTION: Res. 81-314 adopted setting hearing.

(Clerk to handle)

CONSENT

25. Consider Water Conservation Program for Summer of 1981.
(Staff recommends adoption of a Water Conservation Program again this summer, including a Council resolution prohibiting outside watering of landscaped areas from 4:00 p.m. until 8:00 p.m., June 1, 1981, through September 15, 1981, each day except Sunday. Memo with agenda. Resolution approving Water Conservation Program needed. Estimated Cost: \$10,600. Funds are budgeted.)

ACTION: Res. 81-315 adopted approving Water Conservation Program. (P.W. to handle)

CONSENT

26. Consider eighth amendment to agreement with Kennedy/Jenks Engineers for engineering services in connection with wastewater treatment plant improvements.
(This amendment to our current agreement with Kennedy/Jenks Engineers is in the amount of \$19,100. Federal and State grants are estimated to cover 87½% of this cost. The work involved covers Kennedy/Jenks Engineers' participation in the Value Engineering process in the project and the preparation of plats and descriptions for rights of way and easements related to the land disposal project unit. Resolution approving amendment to agreement needed. Estimated Cost: \$1,202,122. Funds are budgeted.)

ACTION: Res. 81-316 adopted approving amendment to agreement.

(P.W. to handle)

CONSENT

27. Report on breach of lease terms by Yosemite Airlines.
(Memo with agenda. Resolution canceling lease agreement needed.)

ACTION: Res. 81-317 adopted canceling lease agreement. (Finance to handle)

MISCELLANEOUS

LEGISLATION

CONSENT

28. Staff recommends:

OPPOSING

- a) AB 112 (Lockyer) - Industrial Development Financing Authority
b) SB 6 (Robbins) - Mandatory Vaccination of Impounded Animals

SUPPORTING

- c) AB 698 (Thurman) - Crimes; Victim and Witness Centers
d) SB 46 (Russell) - PERS Pension Off-Set
e) SB 63 (Presley) - Citizens Complaints Against Peace Officers
f) SB 210 (Presley) - Peace Officers' Training Fund
g) SB 215 (Foran) - Transportation; financing

(Motion approving needed.)

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

APPOINTMENTS

CONSENT

29. Consider resolution appointing City Councilmembers to Committees.
(Resolution approving appointment of Councilmembers to Committees needed.)

ACTION: Res. 81-318 adopted approving appointments. (Clerk to handle)

30. Other Appointments

None

MATTERS TOO LATE FOR THE AGENDA

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

None

ADJOURNMENT

Meeting adjourned at 4:30 p.m.
This meeting is adjourned to Thursday, April 23, 1981, 6:30 p.m., at J.R. Maxwell's Restaurant, 3105 McHenry Avenue, Modesto, for a meeting with the Modesto Planning Commission, and then to Friday, April 24, 1981, 7:00 a.m., at the Sundial Restaurant, 806 McHenry Avenue, Modesto, for a meeting with Senator Ken Maddy.

ATTEST:


NORRINE COYLE, City Clerk

Modesto City Council
Joint City Council-Planning Commission
Meeting
April 23, 1981

The Modesto City Council met pursuant to adjournment at 6:30 p.m., at Maxwell's Restaurant, 3105 McHenry Avenue, Modesto, to meet with the Planning Commission.

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

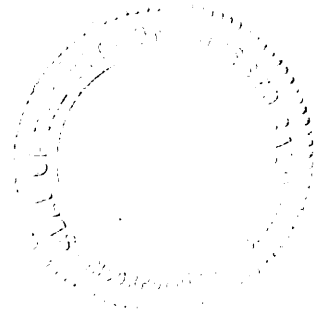
Absent: Councilmember Siefkin

The following topics were discussed:

1. Downtown redevelopment
2. Sign abatement
3. Condominium conversion
4. Density, infilling, housing types
5. Citizens Energy Conservation Committee
6. Council policies established for Planning Commission's direction.

The meeting adjourned at 9:45 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



Adjourned Special Meeting
Modesto City Council
April 24, 1981

The Council of the City of Modesto met pursuant to adjournment at 7:00 a.m., at the Sundial, 806 McHenry Avenue, Modesto, California.

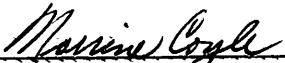
Present: Councilmembers Bright, Elliott, Muratore, Patterson,
Mayor Mensinger

Absent: Councilmembers Lang, Siefkin

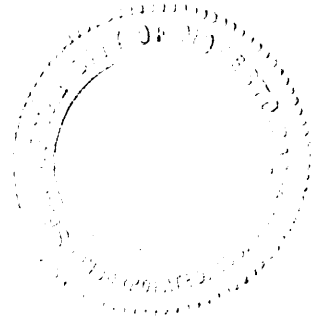
The Councilmembers met with Senator Ken Maddy to discuss various pieces of legislation of interest to the City of Modesto.

The meeting adjourned at 8:35 a.m.

ATTEST:



NORRINE COYLE, City Clerk



MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 28 1981, 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: Rev. Rollin Keller, Grace Orthodox Presbyterian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 7, 8, 9, 10, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24
Dropped from agenda: 12

ACTION: Siefkin/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

None

MINUTES

CONSENT

2. Approval of the minutes of the April 21, 1981 regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Consider Cost Revenue Impact System (CRIS).
(Memo with agenda. Motion directing staff to prepare agreement with Diametrics, Inc., for CRIS fiscal model and resolution approving appropriation transfer needed. Estimated Cost: \$20,000. Funds are budgeted.)

ACTION: By motion (Patterson/Siefkin, unan.) staff directed to prepare an agreement with Diametrics for a CRIS model.

Res. 81-319 adopted (Patterson/Siefkin, unan.) approving appropriation transfer.
(Planning/Finance to handle)

HEARINGS

4. Hearing on cost of installation of street light on La Loma Avenue between Santa Barbara and Santa Cruz Avenues,
(Parcel B as per map filed November 17, 1977, in Volume 26 of Parcel Maps,
Page 20, Stanislaus County Records. George DePonte. \$2,115.56)

ACTION: Res. 81-320 adopted (Lang/Elliott, unan.) confirming report and assessing costs. (Finance to handle)

5. Hearing on cost of installation of street surfacing at the southeast corner of La Loma and Santa Barbara Avenues.
(Parcels A and D as per map filed November 17, 1979 in Volume 26 of Parcel Maps,
Page 20, Stanislaus County Records. Lester R. Romine. \$3,536.34)

ACTION: Res. 81-321 adopted (Lang/Elliott, unan.) confirming report and assessing costs. (Finance to handle)

6. Informal hearing to consider adoption of 1979 Uniform Fire Code with amendments including sprinkler ordinance.

ACTION: A motion to adopt the 1979 Uniform Fire Code without the sprinklers failed to carry.

By motion (Siefkin/Patterson, majority, Bright, Lang and Muratore-no), Ord. No. 2035-C.S. introduced adopting the 1979 Uniform Fire Code with amendments including sprinkler requirement as recommended.

BIDS

CONSENT

7. Consider approving specifications and authorizing the call for bids to be opened May 19, 1981, at 2:15 p.m., for furnishing the City's annual requirements of rock, sand, and gravel products.
(The rock, sand, and gravel products will be used for new construction and repair projects throughout the City. It will be used primarily by the various divisions in the Public Works and Parks and Recreation Departments. One resolution approving specifications and authorizing the call for bids needed. Estimated Cost: \$30,000. Funds are budgeted.)

ACTION: Res. 81-322 adopted calling for bids. (Finance to handle)

CONSENT

8. Consider approving specifications and authorizing call for bids to be opened May 26, 1981, at 2:05 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 1981-82 fiscal year. Resolution approving specifications and authorizing call for bids. Estimated Cost: \$12,000. Funds are budgeted.)

ACTION: Res. 81-323 adopted calling for bids. (Finance to handle)

CONSENT

9. Consider approving specifications and authorizing the call for bids to be opened on May 19, 1981, at 2:00 p.m., for furnishing the annual requirements of liquid anhydrous ammonia.

(This material will be used to treat industrial and residential sewage during the peak usage period during July, August, September, and October. One resolution approving specifications and authorizing the call for bids needed. Estimated Cost: \$21,500. Funds are budgeted.)

ACTION: Res. 81-324 adopted calling for bids.

(Finance to handle)

CONSENT

10. Consider acceptance of Joe Martin Pipeline, Inc.'s contract for construction of waterline extension in Seattle and Spokane as complete. (Original contract: \$24,142.50)

(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$26,392.50. Funds are budgeted.)

ACTION: Res. 81-325 adopted accepting work as complete.

(Clerk 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 approval of the final map of Hillsboro Heights subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Carrie Hill Freese and Transworld Financial Corp., Inc.
(The subdivision agreement has been signed and all fees paid. Hillsboro Heights is located north of Rumble Road and east of Prescott Road. It contains 6.108 acres. Resolution approving final map needed.)

Dropped from agenda at the request of Transworld Financial Corp., Inc.

CONSENT

13. Consider resolution authorizing the City Manager to execute the Hetch Hetchy Water & Power Revocable Permit for the widening of the Standiford Avenue crossing of the Hetch Hetchy right of way.
(It is necessary for the City to have a permit to work in the Hetch Hetchy right of way at the Standiford Avenue crossing. The fee of \$1,500 is to cover the necessary inspection of the work by the City & County of San Francisco on their facilities. Resolution approving permit needed. Funds are budgeted.)

ACTION: Res. 81-326 adopted approving permit. (P.W. to handle)

CONSENT

14. 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 \$55,638.32 for expenditures by the City on community recreation for fiscal year 1980-81. This is an increase of \$8,260.66 from last year's allocations. Resolution approving agreement needed.)

ACTION: Res. 81-327 adopted approving agreement. (P.R. to handle)

CONSENT

15. Consider amendment to credit agreement with Crocker National Bank (Housing Maintenance Program).
(The three revisions to the agreement are as follows: 1) Addition of the recently approved 10% interest rate to the existing 3% and 5% rates. 2) Increasing the cumulative deposit of Community Development Block Grant funds with Crocker from \$1,396,000 to \$1,577,000 (\$181,000 increase). These funds are used to write down interest from 11.5% (Crocker rate) to 3%, 5% and 10% (HMP rate). 3) Increase the bank loan commitment funds from \$3,200,000 to \$3,842,000 (\$622,000 increase) to respond to continuing HMP loan activity. Resolution approving amended credit agreement needed.)

ACTION: Res. 81-328 adopted approving amended credit agreement. (Planning to handle)

CONSENT

16. Consider approving a new one-year airport concession agreement with Valley Freight Express, a corporation which has been operating at the airport as a partnership of Gordon Keats, Bill Parks, and Cliff Pierce.
(This is a one-year lease and includes rental of 500 square feet of terminal building, 400 square feet of apron, concession fee, and four parking spaces. This lease is for \$295 per month and consistent with other airport concession agreements. Resolution approving agreement needed.)

ACTION: Res. 81-329 adopted approving agreement. (P.W. to handle)

CONSENT

17. Consider cancelling existing lease with Casco, Inc., and approving new lease agreement with Ronald V. Mancini and Marc LaCross for lease of the former Varni property (Casco building) which is part of the future corporation yard expansion. (Existing lessee is going out of business and has approximately four years remaining on the lease at \$720 per month. New lessees are buying Casco's inventory and wish to lease the building from the City at \$850 per month plus taxes and maintenance. An \$850 security deposit will also be placed with the City. Resolution cancelling existing lease needed, and resolution approving new lease agreement needed.)

ACTION: Res. 81-330 adopted cancelling existing lease agreement with Casco, Inc.
Res. 81-331 adopted approving new lease agreement with Ronald Mancini and Marc LaCross.
(P.W. to handle)

CONSENT

18. Consider the Houser Lane No. 1 Governmental Reorganization to the City of Modesto. (On April 15, 1981, LAFCO approved the Houser Lane No. 1 Governmental Reorganization to the City of Modesto. The governmental reorganization would include annexation to the City, detachment from the Burbank-Paradise Fire District, and annexation to the Modesto Municipal Sewer District No. 1. LAFCO has authorized the Council to proceed without notice, hearing or election. LAFCO resolution, environmental assessment and maps with agenda. Resolution ordering the Houser Lane No. 1 Governmental Reorganization to the City of Modesto and certifying review of environmental impact needed.)

ACTION: Res. 81-332 adopted ordering the Houser Lane No. 1 Governmental Reorganization to the City of Modesto.
(Planning to handle)

CONSENT

19. Consider abandonment of a portion of the 10-foot public utility easement in Lot 14, Block 12305, King Arthur's Camelot subdivision, City of Modesto. (Memo with agenda. Resolution vacating and abandoning a portion of the public utility easement needed.)

ACTION: Res. 81-333 adopted abandoning portion of public utility easement.
(P.W. to handle)

CONSENT

20. Consider abandonment of public utility easements in Blocks 13363 and 13367. (Memo with agenda. Resolution vacating and abandoning public utility easements needed.)

ACTION: Res. 81-334 adopted abandoning public utility easements. (P.W. to handle)

CONSENT

21. Consider abandonment of a portion of the 10-foot public utility easement in Lot 14, Block 6543, Skylane Park No. 3 subdivision, City of Modesto.
(Memo with agenda. Resolution vacating and abandoning a portion of the public utility easement needed.)

ACTION: Res. 81-335 adopted abandoning a portion of the public utility easement.
(P.W. to handle)

CONSENT

22. Consider approving application for Community Development Block Grant for fiscal year 1981-82.
(Proposed application has been reviewed by the Housing Maintenance and Counseling Subcommittee and the Citizens Housing & Community Development Committee. Both committees recommend approval. Two public hearings were held by the Citizens Housing and Community Development Committee. Resolution approving application and authorizing City Manager to sign application needed.)

ACTION: Res. 81-336 adopted approving application. (Planning to handle)

CONSENT

23. Recommend to Council an amendment to P-D(21) - Tully Manor Investment Trust.
(On April 20, 1981, the Planning Commission adopted Resolution 81-102 recommending to the Council an amendment to P-D(21) to allow service of alcoholic beverages in conjunction with meals at the Purple Lantern Restaurant, located at the southeast corner of Tully Road and Standiford Avenue. Resolution setting public hearing May 26, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-337 adopted setting hearing. (Clerk to handle)

CONSENT

24. Consider adoption of policy for conduct of official business by the City Council and Boards, Commissions and Committees of the City of Modesto.
(Memo with agenda. Resolution approving policy statement needed.)


ACTION: Res. 81-338 adopted approving policy statement. (Clerk to handle)

MISCELLANEOUS

25. Appointments - None
26. Matters Too Late For The Agenda - None

The meeting adjourned at 10:35 p.m.

ATTEST:


Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 5, 1981, 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. Don Nelson, Centenary Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 23, 25, 26, 27, 28, 29, 30, 31, 32a, 32b, 32c, 32d, 32e, 32f, 32g, 32h, 33, 34

Dropped from agenda: 8

ACTION: Lang/Bright, unan.

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

1.

ACKNOWLEDGEMENTS

None

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular meetings of April 23, and April 24, and the regular meeting of April 28, 1981.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Final adoption of Ordinance No. 2035-C.S. relating to the Fire Code including requirement of automatic sprinkler systems.
(Motion adopting needed.)

ACTION: By motion (Siefkin/Mensinger, majority, Bright, Lang, Muratore - no)
Ord. No. 2035-C.S. approved. (Clerk to handle)

4. Further consideration of request from Mike Herron, Head Rest Director, concerning redirection of funds allocated to Head Rest.

ACTION: A motion to deny the request failed to carry.
By motion (Lang/Bright, majority, Elliott-no) authorized Head Rest to retain the \$10,000 previously paid to them.

5. Report on proposal to create a citizens' Energy Committee.
(Memorandum with agenda. Motion acknowledging receipt of report and directing staff needed.)

ACTION: By motion (Elliott/Muratore, unan.) action delayed until some appropriate time in the future. (Mgr. to handle)

CONSENT

6. Further consideration of wages for parking lot attendants. (Memo with agenda. The Renaissance Committee recommends an increase to \$3.35/hour and \$3.60/hour for the supervisor of the attendants. To offset the extra cost, the Committee recommends increases in the hourly and monthly parking fees on attendant lots/garages. Resolution changing parking fees and motions authorizing the wage increase and the removal of parking meter posts on Parking Lot 2 (Lotus) needed. Estimated Cost: \$875. Funds are budgeted.)

ACTION: Res. 81-339 adopted changing fees.

By motion, wage increases and removal of parking meter posts on Parking Lot 2 approved. (P.T. to handle)

BIDS

CONSENT

7. Consider calling for bids for restriping Standiford Avenue near Columbine. (The restriping will preserve 5 parking spaces on the north side of Standiford west of Columbine to the tracks. The north bike lane will be on the sidewalk and the south one will be on Standiford next to the parking lane. Resolution approving plans and specifications and calling for bids at 11:00 a.m. on 6/16/81 needed. Estimated Cost: \$15,000. Funds are budgeted.)

ACTION: Res. 81-340 adopted calling for bids.

(P.T. to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for improvements to Sylvan Avenue between McHenry Avenue and Coffee Road. (The existing pavement is in poor condition. This project will upgrade the condition of the road surface. Suggested bid opening date is May 26, 1981 at 11:00 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$285,747.98 (Constr. \$248,476.50; Eng. & Contg. \$37,271.48) Funds are budgeted.)

DROPPED FROM AGENDA

CONSENT

9. Consider approval of specifications and authorize call for bids to be opened May 26, 1981, at 2:00 p.m., for furnishing annual dry cell battery requirements. (An annual requirement, the bid is a cooperative venture with Stanislaus County, Yosemite Community College District and Modesto City Schools. The batteries are purchased intermittently throughout the fiscal year by Central Stores and distributed to using departments. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$2,500 - City portion. Funds are budgeted.)

ACTION: Res. 81-341 adopted calling for bids.

(Finance to handle)

CONSENT

10. Consider approval of plans and specifications for the refinishing of clarifier No. 1 at the City of Modesto Water Quality Control Plant. (Suggested bid opening: May 19, 1981 at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$27,225 (\$24,750 contract; \$2,475 Eng.) Funds are budgeted.)

ACTION: Res. 81-342 adopted calling for bids.

(P.W. to handle)

CONSENT

11. Consider approving specifications and authorizing the call for bids to be opened on June 2, 1981, at 2:10 p.m., for furnishing the City's annual requirements of ready-mixed concrete.
(The ready-mixed concrete will be used in new construction and repairs throughout the City. It will be used primarily by the various divisions in the Public Works and the Parks and Recreation Departments. One resolution approving specifications and authorizing the call for bids needed. Estimated Cost: \$12,500. Funds are budgeted.)

ACTION: Res. 81-343 adopted calling for bids. (Finance to handle)

CONSENT

12. Consider approving specifications and authorizing the call for bids to be opened on June 2, 1981, at 2:00 p.m., for furnishing swimming pool chlorine and muratic acid.
(Swimming pool chlorine and muratic acid will be used throughout the year by the Parks and Recreation Department for swimming and training pool maintenance. One resolution approving specifications and authorizing the call for bids needed. Estimated Cost: \$6,000. Funds are budgeted.)

ACTION: Res. 81-344 adopted calling for bids. (Finance to handle)

CONSENT

13. Consider award of contract for wheelchair ramps Project 1.
(Bids were opened on April 28, 1981. The low bid of \$24,950, submitted by George Reed, Inc., which is 28.7% below the engineer's estimate is considered acceptable. It is therefore recommended that the contract be awarded to them. Resolution awarding contract to George Reed, Inc. needed. Estimated Cost: \$28,450 (Contr. \$24,950; Eng. \$3,500). Funds are budgeted.)

ACTION: Res. 81-345 adopted awarding contract. (P.W. to handle)

CONSENT

14. Consider award of contract for heater remix and slurry seal, Spring, 1981.
(Bids were opened April 28, 1981, and the low bid of \$57,913.40 by Graham Contractors, Inc. which is 25.6% below the engineer's estimate is considered acceptable. Therefore, staff recommends the contract be awarded to them. Resolution awarding contract to Graham Contractors, Inc. needed. Estimated Cost: \$65,703.40 (Contr. \$57,913.40; Eng. \$7,790). Funds are budgeted.)

ACTION: Res. 81-346 adopted awarding contract. (P.W. to handle)

CONSENT

15. Consider award of contract for construction of McHenry Museum elevator.
(Bids were opened April 28, 1981. The low bid submitted by Acme Construction Co. of \$109,800 is 0.3% above the engineers' estimate and is considered acceptable. It is therefore recommended to award the contract to them. Resolution awarding contract to Acme Construction Company Inc. needed. Estimated Cost: \$133,300 (Contr. \$109,800; Engr. \$23,500). Funds are budgeted.)

ACTION: Res. 81-347 adopted awarding contract. (P.W. to handle)

CONSENT

16. Consider award of contract for the reconstruction of Trask Lane from Yosemite Boulevard to Haddon Avenue.
(Bids were opened on April 28, 1981. The low bid of \$84,559.50, submitted by Lee White Paving is 13% 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 Lee White Paving needed. Funds are budgeted.)

ACTION: Res. 81-348 adopted awarding contract.

(P.W. to handle)

CONSENT

17. Consider award of contract for the Downey and Davis Parks tennis courts.
(Bids were opened on April 28, 1981. The low bid of \$13,219.20, submitted by Central Striping Service is 49% 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 Central Striping Service needed. Funds are budgeted.)

ACTION: Res. 81-349 adopted awarding contract.

(P.W. to handle)

CONSENT

18. Consider approving increase in the amount of Purchase Order No. 17166 for testing services performed by Western States Testing on the West Trunk Sewer project from \$11,815 to \$14,815 and waiving formal bids.
(Amount of tests required on the project were greater than those originally estimated. It is therefore necessary to waive the formal bid requirement and increase the purchase order to provide for payment of the tests. Memo with agenda. Resolution approving purchase order increase needed. Funds are budgeted.)

ACTION: Res. 81-350 adopted approving purchase order increase.

(Finance to handle)

WRITTEN COMMUNICATIONS

19. Request by Bob and Connie Swain, Modesto Coin Center owners, for a change in Fire Code Section 10.104(b).
(Held over from April 7, 1981, meeting at the Swains' request.)

ACTION: By motion (Muratore/Lang, majority, Elliott, Patterson and Siefkin-no) due to highly concentrated value and easy turn-over into cash, staff directed to prepare Code changes to allow coin shops to have a door-locking system which the Swain's have, providing that the locking system is tied in with a smoke detector, and requiring at least two employees to be in the building when open for business.

(Atty. to handle)

CONSENT

20. Request by Downtown Improvement District for a joint Merchant's Sidewalk Sale/ Arts and Crafts Sale on May 13-16, 1981.
(Motion approving request needed.)

ACTION: By motion, request approved.

(Plannino/Finance to handle)

CONSENT

21. Letter from Joe Kollmeyer resigning from the Farm-City Advisory Committee.
(Resolution accepting resignation with regret needed.)

ACTION: Res. 81-351 adopted accepting resignation with regret.

(Clerk to handle)

22.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

CONSENT

23. Consider a resolution approving submission of a claim for \$31,000 for Non-Motorized Funds to the Stanislaus Area Association of Governments (SAAG). (Memo with agenda. Resolution approving submission of claim for \$31,000 to SAAG needed.)

ACTION: Res. 81-352 adopted approving submission of claim. (Finance to handle)

24. Presentation of 1981-82 Preliminary Budget and Four-Year Capital Improvement Program 1981-82 through 1984-85. (Copies of both documents will be presented at the meeting. Resolution setting public hearing June 9, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-353 adopted (Lang/Siefkin, unan.) setting public hearing June 9, 1981, at 7:30 p.m. (Clerk to handle)

CONSENT

25. Consider approval of an agreement with Birt A. Lowery for the purchase of 1,125± square feet of right of way needed to widen Sylvan Avenue just east of McHenry Avenue. (Mr. Lowery has agreed to sell the required right of way for the appraised value of \$6,200. This is the last parcel of land needed to widen Sylvan Avenue in this area. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 81-354 adopted approving agreement. (P.W. to handle)

CONSENT

26. Consider request for sewer service to property outside City limits at 911 Chicago located on the north side of Chicago Avenue between Harris Avenue and Mayette Avenue. Owners: John E. and Donna Jean Kidd (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. 81-355 adopted approving agreement. (P.W. to handle)

CONSENT

27. Recommend to Council an amendment to Section 8-3-9 of the Zoning Map - Rule-Dale Properties. (On April 20, 1981, the Planning Commission adopted Resolution 81-101 recommending to the Council an amendment to Section 8-3-9 of the Zoning Map to rezone from R-2 to P-D(302) to allow conversion to condominiums, property located around Cougar Court south of Union Avenue. Resolution setting public hearing May 26, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-356 adopted setting hearing. (Clerk to handle)

CONSENT

28. Recommend to the City Council an amendment to the adopted Zoning and Development Plan for the Orchard Neighborhood.
(On April 20, 1981, the Planning Commission adopted Resolution 81-103 recommending to the City Council an amendment to the adopted Zoning and Development Plan for the Orchard Neighborhood. Resolution setting public hearing June 2, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-357 adopted setting hearing.

(Clerk to handle)

CONSENT

29. Recommend to Council an amendment to Section 10-2.1801(a) of the Zoning Ordinance.
(On April 20, 1981, the Planning Commission adopted Resolution 81-100 recommending to the City Council an amendment to Section 10-2.1801(a) of the Zoning Ordinance on handicapped parking spaces. Resolution setting hearing June 2, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-358 adopted setting hearing.

(Clerk to handle)

CONSENT

30. Recommend to Council amendments to Articles 20, 21, and 22 of the Zoning Ordinance.
(On April 20, 1981, the Planning Commission adopted Resolution 81-104 recommending to the City Council amendments to Articles 20, 21, and 22 of the Zoning Ordinance pertaining to setting of and notice for public hearings. Resolution setting public hearing June 2, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-359 adopted setting hearing.

(Clerk to handle)

CONSENT

31. Consider Empire East General Plan amendment.
(The Planning Commission adopted Resolution 81-95 on April 6, 1981, recommending a General Plan amendment to delete the Urban Reserve Area east of Empire and return it to Agricultural designation. This is one of the mitigation measures for prime agricultural land proposed in conjunction with the Wastewater Facilities Improvements. Resolution setting public hearing May 26, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-360 adopted setting hearing.

(Clerk to handle)

MISCELLANEOUS

LEGISLATION

CONSENT

32. Consider taking action on various legislative items. Staff recommends:

OPPOSING

- 32a. AB 950 (Imbrecht) Transportation Financing
- 32b. AB 1192 (Costa) California Municipal Debt Advisory Commission
- 32c. AB 1693 (Tucker) Agency Shop
- 32d. AB 1721 (Lockyer) Binding Arbitration
- 32e. SB 469 (Russell) Collective Bargaining for Retirees
- 32f. SB 630 (M. Garcia) Local Agency Fees

SUPPORTING

- 32g. AB 500 (Wright) Subsequent Arrest Notification
- 32h. SCA 7 (Presley) Suppression of Evidence

(Memo with agenda. Motion opposing AB 950, AB 1192, AB 1693, AB 1721, SB 469, and SB 630 and supporting AB 500 and SCA 7 needed.)

ACTION: By motion, recommendation approved.

(Mgmt. Services to handle)

CONSENT

- 33. Consider adoption of resolution regarding State of California prioritization of municipal services.
(Memorandum with agenda. Resolution recommending changes in the Governor's 1981-82 budget needed.)

ACTION: Res. 81-361 adopted recommending changes in the Governor's 1981-82 budget.

(Mgmt. Services to handle)

CONSENT

- 34. Consider adoption of resolution regarding federal, state and local relationships.
(Memorandum with agenda. Resolution recommending a restructuring of federal, state and local relationships needed.)

ACTION: Res. 81-362 adopted recommending restructuring relationships. (Mgmt. Serv. to handl)

34A Appointments

ACTION: Res. 81-363 adopted (Siefkin/Lang, unan.) reappointing and appointing members to the Farm-City Advisory Committee as follows:

- John DeBoer, reappointed, term to expire May 1, 1985
- Claire Gonsalves, reappointed, term to expire May 1, 1985
- Richard Nimphius, appointed, term to expire May 1, 1985
- Mike Burns, appointed, term to expire May 1, 1984
- Susan Montgomery, appointed, term to expire May 1, 1983

(Clerk to handle)

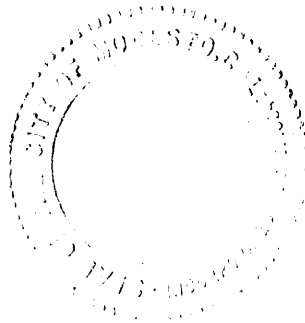
CLOSED SESSION

35. Closed session concerning an employee relations matter.

ADJOURNMENT

Meeting adjourned at 6:15 p.m. to closed session and then to May 7, 1961, at 6:30 p.m. at J.R. Maxwell's Restaurant, 3105 McHenry Avenue, for a meeting with the Modesto Irrigation District Board of Directors.

ATTEST: *Norrine Coyle*
NORRINE COYLE City Clerk



Adjourned Special Meeting
Modesto City Council and
MID Board of Directors
May 7, 1981

The Council of the City of Modesto met with members of the Modesto Irrigation District staff pursuant to adjournment at 6:30 p.m., at J.R. Maxwell's Restaurant, 3105 McHenry Avenue, Modesto, California.

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

Absent: Councilmembers: Siefkin

The Modesto Irrigation District staff brought the City Council and staff up-to-date on the status of projects and programs to continue providing electricity and irrigation water to the people in the District.

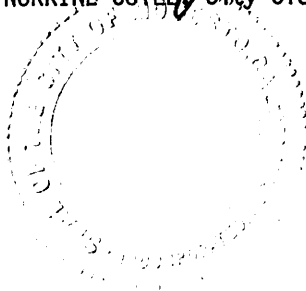
The City staff discussed the City's water conservation program, methane program, the proposed Citizens Energy Committee, and City growth.

The meeting adjourned at 9:45 p.m.

ATTEST:



NORRINE COYLE, City Clerk



MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 12 1981, AT 7:30 P.M.

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

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Councilmember Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29

ACTION: Siefkin/Muratore, unan., Mayor 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

None

MINUTES

CONSENT

2. Approval of the minutes of the May 5, 1981, regular City Council meeting.
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Consideration of Lakewood Trunk Sewer Extension and further General Plan studies.
(Held over from March 24, 1981, Council meeting. Resolution determining to proceed with or drop Lakewood Trunk Sewer Extension and motion directing staff needed.)

ACTION: By motion (Elliott/Siefkin, unan., Mayor Mensinger absent) it was agreed that action or a decision on the Lakewood trunk sewer extension will be delayed until after the Public Projects Committee's annual growth study in October, 1981.

By motion (Muratore/Elliott, unan., Mayor Mensinger absent) it was determined that no new trunk sewer environmental impact reports are to be prepared at this time.

HEARINGS

4. Continued hearing on amendment to 10-3-9 of the Zoning Map to rezone from R-3 to P-D(298), property located at the southeast corner of Coffee Road and Sylvan Avenue to allow a professional office park including a financial institution. (Robert Weeks) (On April 7, 1981, the City Council continued this hearing to May 12, 1981, at the request of the applicant.)

ACTION: A motion to approve the project failed to carry.

By motion (Muratore/Patterson, unan., Mayor Mensinger absent) hearing continued to June 9, 1981, 7:30 p.m. (Clerk to handle)

5. Hearing on amendment to Section 9-3-9 of the Zoning Map to rezone from R-2 to P-D(301) property located around Las Cruces Court, west of Coffee Road, to allow a 20-unit, one-story residential condominium. (Dean Russell, Stanley Smith and Edmund Smith)

ACTION: By motion (Muratore/Elliott, unan., Mayor absent) Ord. 2036-C.S. introduced.

Res. 81-364 adopted (same vote) approving plan.

Res. 81-365 adopted (same vote) certifying review of environmental assessment. (Clerk/Planning to handle)

- 6a. Hearing on amendment to Section 12-3-8 of the Zoning Map to rezone from P-D(192) to R-1, property located at the southwest corner of Hahn and Veneman. (Bright Development)

ACTION: By motion (Siefkin/Muratore, majority, Elliott and Patterson-no, Mayor Mensinger absent) Ord. 2037-C.S. introduced.

Res. 81-366 adopted (same vote) certifying review of environmental assessment. (Clerk/Planning to handle)

- 6b. Hearing on appeal by Bright Development to a decision of the Planning Commission concerning zoning of property at the southwest corner of Hahn and Veneman.

ACTION: Res. 81-367 adopted (Siefkin/Muratore, majority, Elliott and Patterson-no, Mayor Mensinger absent) denying appeal without prejudice.

7. Hearing on amendment to Section 25-3-8 of the Zoning Map to rezone from a portion of P-D(255) to R-1, and for an amendment to P-D(255) to allow lowering from 8-foot to 7-foot all patio walls and fences except for the north and east boundaries, property located east of Shasta south of Woodland. (Lester and Corliss Maxfield)

ACTION: By motion (Muratore/Patterson, unan., Mayor Mensinger absent) Ord. 2038-C.S. introduced.

Res. 81-368 adopted (same vote) certifying review of environmental assessment.

Res. 81-369 adopted (same vote) revising conditions. (Clerk/Planning to handle)

BIDS

CONSENT

8. Consider approval of plans and specifications and call for bids for the installation of play apparatus at Sonoma Park.
(The installation of this equipment is a continuation of the development of Sonoma Park according to the approved park master plan. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$26,136 (\$21,600 contract; \$4,536 Eng.). Funds are budgeted.)

ACTION: Res. 81-370 adopted calling for bids.

(P.W. to handle)

CONSENT

9. Consider approving specifications and authorizing the call for bids to be opened on June 9, 1981, at 2:00 p.m., for furnishing annual requirements of traffic line paint.
(The traffic line paint will be used by the Parking and Traffic Department for marking new and existing streets and parking lots. One resolution approving specifications and authorizing the call for bids needed. Estimated Cost: \$40,000. Funds are budgeted.)

ACTION: Res. 81-371 adopted calling for bids.

(Finance to handle)

CONSENT

10. Consider approving specifications and authorizing call for bids to be opened June 9, 1981, at 2:15, 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 industrial and residential sewage and is purchased intermittently throughout the year. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$120,000. Funds are budgeted.)

ACTION: Res. 81-372 adopted calling for bids.

(Finance to handle)

11. Consider award of contract for the reconstruction of sewer on Duncan Avenue, Chabot Avenue and Muir Road.
(Bids were opened on May 5, 1981. The low bid of \$63,633.90, submitted by Mac's Backhoe Service, is 18% 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 Mac's Backhoe Service needed. Funds are budgeted.) Councilmember Elliott excused due to a conflict of interest.

ACTION: Res. 81-373 adopted (Siefkin/Muratore, unan., Elliott and Mayor Mensinger absent) awarding contract.

(P.W. to handle)

CONSENT

12. Consider award of contract for reconstruction of College Avenue from Briggsmore Avenue to Davis Park.
(Bids were opened May 5, 1981 and the low bid of \$125,475 submitted by George Reed Inc. was 14% below the engineer's estimate and is considered acceptable. It is therefore recommended by staff to award the contract to them. Resolution awarding contract to George Reed Inc. needed. Estimated Cost \$142,475 (Constr. \$125,475; Eng. & Contg. \$17,000) Funds are budgeted.)

ACTION: Res. 81-374 adopted awarding contract.

(P.W. to handle)

CONSENT

13. Consider acceptance of Ferrero Electric's contract for street light modernization - Old Town Modesto as complete. (Original contract and final cost: \$147,318)
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. Funds are budgeted.)

ACTION: Res. 81-375 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

14. Appeal by GO Enterprises to a decision by the Board of Zoning Adjustment concerning a variance from Modesto Municipal Code Section 10-2.806 as it applies to a shopping center at 950 Oakdale Road.
(Resolution setting hearing June 9, 1981, 7:30 p.m. needed.)

ACTION: Res. 81-376 adopted setting hearing. (Clerk to handle)

CONSENT

15. Appeal by Racor Development to a decision of the Planning Commission concerning rezoning the northeast corner of Needham and Sycamore.
(Resolution setting hearing June 9, 1981, 7:30 p.m. needed.)

ACTION: Res. 81-377 adopted setting hearing. (Clerk to handle)

CONSENT

16. Request by Downtown Improvement District to hold a sidewalk sale in the Old Town area on Sunday, May 17, 1981.
(Motion approving request needed.)

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

CONSENT

17. Report by Modesto Chamber of Commerce on activities during January-March, 1981.
(Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

CONSENT

19. Presentation of Financial Statement for April, 1981.
(Copies of report will be presented at meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

20. Set hearing to consider amendments to the Conflict of Interest Codes of the City Attorney's Office, City Manager's Office, Finance Department, Fire Department, Planning and Community Development Department, Police Department, and Public Works Department.
(Resolution setting hearing June 2, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-378 adopted setting hearing.

(Clerk to handle)

CONSENT

21. Approve agreement with Caltrans to install left-turn signals at McHenry and Briggsmore.
(Memo with agenda. Agreement provides for State to acquire right of way, widen McHenry, improve street lighting, and modify the traffic signals. Resolution approving agreement and resolution authorizing appropriation transfer needed. Estimated cost: \$219,235; funds are budgeted.)

ACTION: Res. 81-379 adopted approving agreement.

Res. 81-380 adopted authorizing appropriation transfer. (P.T./Finance to handle)

CONSENT

22. Consider Farmers' Market request for modification of conditions.
(Memo with agenda. Resolution approving revised conditions needed.)

ACTION: Res. 81-381 adopted approving revised conditions.

(Planning to handle)

CONSENT

23. Consider approving City-County Transportation Committee recommendations regarding bus service and Dial-A-Ride matters.
(Memo with agenda. The matters include: bus advertising; Dial-A-Ride name; relocating two bus shelters; accepting a grant for eight new shelters; reinstating the Commuter Bus Pass Program; handicapped bus service; Dial-A-Ride transition status; bus stop signs; and a new bus service contract. Motion approving recommendations and resolution authorizing commuter bus fares needed.)

ACTION: By motion, recommendations approved.

Res. 81-382 adopted authorizing commuter bus fares. (P.T. to handle)

CONSENT

24. Consider amendments to Position Classification Plan and amendments to resolution establishing salary schedules concerning Risk Management positions.
(Memorandum with agenda. Resolution amending Position Classification Plan and resolution amending salary schedules needed. Estimated cost: \$5,685 increase annually; funds are budgeted.)

ACTION: Res. 81-383 adopted amending Position Classification Plan.

Res. 81-384 adopted amending salary schedules.

(Management Services to handle)

CONSENT

25. Consider authorizing a new account - McHenry Mansion Furniture, and the transferring of \$5,000 from the Contingency Reserve to the McHenry Mansion Furniture Account, (\$4,500), and McHenry Mansion Restoration Account, (\$500). (Memorandum with agenda. Resolution approving appropriation transfer needed.)

ACTION: Res. 81-385 adopted approving appropriation transfer. (Finance to handle)

CONSENT

26. 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, 1981, and ending June 30, 1982. (Memorandum with agenda. Resolution needed. Estimated cost: \$10,000; funds are budgeted.)

ACTION: Res. 81-386 adopted approving agreement with Modesto Bee. (Clerk to handle)

CONSENT

27. Consider declaring the equipment listed on the Surplus Property Listing Sheets as surplus to City needs and authorize the Purchasing Officer to advertise and sell the property to the highest bidder. (Property has become surplus as a result of replacement or obsolescence. Items can best be sold on a sealed bid basis rather than an annual auction; a report of the sale will be made to the City Manager. Resolution declaring equipment surplus property and authorizing Purchasing Officer to sell to the highest bidder needed.)

ACTION: Res. 81-387 adopted declaring equipment surplus property and authorizing sale. (Finance to handle)

CONSENT

28. Recommend to Council an amendment to Section 7-3-9 of the Zoning Map - Sanders Construction. (On May 4, 1981, the Planning Commission adopted Resolution No. 81-113 recommending to the Council an amendment to Section 7-3-9 of the Zoning Map to rezone from R-1 to P-D(303) to allow a 204 unit one and two-story residential condominium, property located on the east side of Prescott Road extended, on both sides of Sheldon Drive. Resolution setting public hearing June 9, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-388 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

CONSENT

29. Legislation:

Staff recommends:

OPPOSING

- a) SB 801 (Dills) - Billboard Removal Moratorium Extension
- b) AB 1353 (Papan) - Billboard Removal Moratorium Extension

SUPPORTING

- c) ACA 19 (McCarthy) - General Obligation Bonds
 - d) AB 1317 (Costa) - Benefit Assessment Financing to Maintaing Public Improvements
 - e) SB 1159 (Beverly) - Alcoholic beverages: Local Taxation
 - f) H.R. 2828 - State and Local Government Financing Reform Act of 1981
- (Memos and attachments with agenda. Motion approving 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

ADJOURNMENT

Adjourn to Monday, May 18, 1981, 8:00 p.m. in the Testing Room, 1st floor, City Hall, for a meeting with the Farm-City Advisory Committee.

Meeting adjourned at 9:55 p.m.

ATTEST: 
NORRINE COYLE, City Clerk

Adjourned Special Meeting
Modesto City Council
May 18, 1981

The Council of the City of Modesto met pursuant to adjournment at 8:00 p.m. in the City Hall, Personnel Conference Room, Modesto, California.

Present: Councilmembers Bright, Muratore, Patterson, Mayor Mensinger

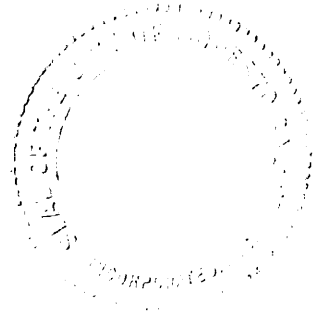
Absent: Councilmembers Elliott, Lang, Siefkin

The Councilmembers met with members of the Farm-City Advisory Committee. The following subjects were discussed:

Value of farm products produced in Stanislaus County
Ag Extension Service
Walnut tree problems
Dairy farming economics
Economics of raising rice and beef cattle
Tree and vine industry
Farmers Market and the new Farm Trails Program.

The meeting adjourned at 10:00 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 19, 1981, AT 4:00 P.M.

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

Absent: Councilmember Elliott

Pledge of allegiance to the Flag

Invocation: Rev. Cliff Sexton, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 7, 8, 9, 10, 11, 12, 13, 15, 16,
17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28,
29,31

ACTION: Siefkin/Lang, unan., Elliott 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

None

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular meeting of May 7, 1981, and the regular meeting of May 12, 1981.
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Final adoption of Ordinance No. 2037-C.S. rezoning to R-1, property located at the southwest corner of Hahn and Veneman. (Bright Development)
(Motion adopting needed.) Mayor Mensinger excused since she was not present during the hearing.

ACTION: By motion (Muratore/Siefkin, majority, Patterson-no, Elliott and Mayor Mensinger absent), Ord. No. 2037-C.S. adopted. (Clerk to handle)

5/19/81

CONSENT

4. Final adoption of:

- a. Ord. No. 2036-C.S. rezoning from R-2 to P-D(301) property located around Las Cruces Court, west of Coffee Road, to allow a 20-unit, one-story residential condominium (Dean Russell, Stanley Smith and Edmund Smith).
- b. Ord. No. 2038-C.S. rezoning from a portion of P-D(255), and amending the condition concerning fences, property located east of Shasta South of Woodland (Lester and Corliss Maxfield).

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

CONSENT

5. Hearing of Necessity to acquire a portion of the Birt A. Lowery property for the Sylvan-McHenry to Coffee street widening project.
(Acquired by Property Agent on April 28, 1981, and approved by Council on May 5, 1981, by Res. 81-354. Motion dropping hearing needed.)

ACTION: By motion, hearing dropped.

(Clerk to handle)

6. Hearing on amendment to Section 8-4-9 of the Zoning Map to rezone from R-1 to R-2, property located on both sides of Hatch Road west of Dallas Street. (World Investment No. 4)

ACTION: By motion (Bright/Muratore, unan., Elliott absent) Ord. 2039-C.S. introduced.

Res. 81-389 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 improvements to Sylvan Avenue between McHenry Avenue and Coffee Road.
(The existing pavement is in poor condition. This project will upgrade the condition of the road surface. Suggested bid opening date is June 9, 1981, at 11:00 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$285,747.98 (Constr. \$248,476.50; Eng. & Contg. \$37,271.48). Funds are budgeted.)

ACTION: Res. 81-390 adopted calling for bids.

(P.W. to handle)

CONSENT

8. Consider approving specifications and authorize call for bids to be opened June 16, 1981, at 2:00 p.m., for furnishing one 3/4 ton pickup with crane.
(Requested by the Public Works Sewerage Division, the truck will be used by maintenance crews to service sewer lift station pumps. The truck will not replace any similar equipment presently in stock. Resolution approving specifications and authorize call for bids needed. Estimated Cost: \$27,000. Funds are budgeted.)

ACTION: Res. 81-391 adopted calling for bids.

(Finance to handle)

5/19/81

CONSENT

9. Consider approval of plans and specifications and call for rebid for the installation of water automation instrumentation and control work.
(Suggested bid opening: June 16, 1981 at 11:05 a.m. Memo with agenda. Resolution approving plans and specifications and calling for rebid needed. Estimated Cost: \$74,000 (Contr. \$69,000; Eng. \$5,000). Funds are budgeted.)

ACTION: Res. 81-392 adopted calling for rebid.

(P.W. to handle)

CONSENT

10. Consider acceptance of North West Construction's contract for construction of waterline extension in Scenic Bend as complete. (Original contract: \$5,211.50)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$5,338.75. Funds are budgeted.)

ACTION: Res. 81-393 adopted accepting work as complete.

(Clerk to handle)

CONSENT

11. Consider accepting a two-way bus radio communications system and approving final payment.
(Memo with agenda. General Electric completed the installation of the radio system on April 24, 1981 which was 317 days past the required completion date. It is recommended that penalties of \$5,840 be assessed on General Electric's contract for this work. Resolution accepting the radio communications system and authorizing the penalties and final payment is needed. Estimated Cost: \$27,237.96. Funds are budgeted.)

ACTION: Res. 81-394 adopted accepting as complete and authorizing penalties. (P.T./Finance to handle)

CONSENT

12. Consider partial acceptance - Eleventh Street Parking Garage.
(Memo with agenda. Use of the garage is being needlessly delayed by elevator work remaining to be done. We can open the garage on Wednesday, May 20, 1981, by partially accepting the project. The elevator would be temporarily inoperable. Resolution approving letter agreement with SMF Corporation, and resolution partially accepting garage as complete needed. Estimated Cost: \$1,862,751. Funds are budgeted.)

ACTION: Res. 81-395 adopted approving letter agreement with SMF Corp.

Res. 81-396 adopted partially accepting garage as complete except for elevator work.
(P.T./Clerk to handle)

CONSENT

13. Consider acceptance of Howell and Schmidt, Inc. contract for construction of Fire Station No. 7 as complete. (Original contract: \$230,135.00)
(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: \$230,932.70. Funds are budgeted.)

ACTION: Res. 81-397 adopted accepting work as complete.

(Clerk to handle)

None

NEW BUSINESS

CONSENT

15. Consider request to hold June Teen Day Festival on Saturday, June 20, 1981. (Memo with agenda includes requests by the King-Kennedy Board of Directors for the festival and staff recommendations. Resolution approving recommendations needed.)

ACTION: Res. 81-398 adopted approving recommendations. (P.R. to handle)

CONSENT

16. Consider integrated pest management agreement with John Muir Institute. (Memo with agenda. Resolution approving agreement needed. Estimated cost: \$10,000; funds are budgeted.)

ACTION: Res. 81-399 adopted approving agreement. (P.R. to handle)

CONSENT

17. Consider approving agreement with Lynn W. Jamison and Christine L. Jamison for the acquisition of 550± square feet of their property needed for the sidewalks - Sunrise/Lucern to Norwegian project. (The Jamisons have agreed to sell the required right of way for the appraised value of \$1,485. This is the first of eleven parcels needed for this phase of the project. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 81-400 adopted approving agreement. (P.W. to handle)

CONSENT

18. Consider agreement with James E. Oman and Eileen M. Oman for the acquisition of 600± square feet of their property needed for the sidewalks - Sunrise/Lucern to Norwegian project. (The Omans have agreed to sell the required right of way for the appraised value of \$1,580. This is the second of eleven parcels needed for this phase of the project. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 81-401 adopted approving agreement. (P.W. to handle)

CONSENT

19. Consider approving agreement with Fred Rumsey and Alta N. Rumsey for the acquisition of 500± square feet of their property needed for the sidewalks - Sunrise/Lucern to Norwegian project. (The Rumseys have agreed to sell the required right of way for the appraised value of \$1,325. This is the third of eleven parcels needed for this phase of the project. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 81-402 adopted approving agreement. (P.W. to handle)

CONSENT

20. Consider custodian agreement with California Federal Savings and Loan Association to manage the City's Mandatory and Voluntary Deferred Compensation Plans. (Memo with agenda. Resolution approving agreement with California Federal Savings and Loan Association needed.)

ACTION: Res. 81-403 adopted approving agreement.

(Finance to handle)

CONSENT

21. Consider approval of the final map of Walnut Tree 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. Subdividers: Allen and Carolyn M. Grant and Grant Construction Company, Inc. (The subdivision agreement has been signed and all fees paid. Walnut Tree Estates is located north of Merle Avenue and approximately 1,300 feet east of Oakdale Road. It contains 39.26 acres. Resolution approving final map needed.)

ACTION: Res. 81-404 adopted approving final map

(Clerk to handle)

CONSENT

22. Consider request for refund of overpayment of mill tax K.K.I Company, \$545.90. (Memo with agenda. Resolution approving refund of overpayment of mill tax needed.)

ACTION: Res. 81-405 adopted approving refund of overpayment of mill tax.

(Finance to handle)

CONSENT

23. Consider approval of amendments to City's Environmental Review Guidelines. (From time to time it is necessary for the City to review its Environmental Review Guidelines. The last time this was done was in February, 1980. Memo from the City Attorney distributed with the agenda provides the background information. Resolution approving amendments needed.)

ACTION: Res. 81-406 adopted approving amendments.

(E.A. Committee to handle)

CONSENT

24. Set a public hearing date to consider adjustment to service charges for garbage service. (The Council Garbage Committee has completed its review of a request by the garbage companies for a revision in garbage service charges. It is recommended Tuesday, June 2, 1981, at 4:00 p.m. be set for public hearing. Resolution setting hearing needed.)

ACTION: Res. 81-407 adopted setting hearing.

(Clerk to handle)

CONSENT

25. Consider request by Airport Garbage (a partnership) to transfer their garbage license to Gilton Solid Waste Management, Inc.
(The owners of Airport Garbage believe that their garbage operation is better served through an incorporation of their business rather than a partnership. They have on file with the City the appropriate materials as required by the Municipal Code to initiate this action. It is therefore recommended that a hearing date of Tuesday, May 26, 1981, at 7:30 p.m. be set to consider this matter. Resolution setting hearing needed.)

ACTION: Res. 81-408 adopted setting hearing. (Clerk to handle)

CONSENT

26. Set informal public hearing to consider revised sewer service charges.
(Staff has completed its annual review of the Sewer Revenue Program and will be recommending adjustments to various sewer service charges. It is recommended that an informal public hearing be set for Tuesday, May 26, 1981, at 7:30 p.m. to consider this matter. Resolution setting informal public hearing needed.)

ACTION: Res. 81-409 adopted setting informal public hearing. (Clerk to handle)

CONSENT

27. Recommend to Council an amendment to P-D(21) - Tully Manor Shopping Center.
(On May 4, 1981, the Planning Commission adopted Resolution 81-110 recommending to the Council an amendment to P-D(21) property located at the southeast corner of Tully and Standiford to allow a family amusement machine center. Resolution setting public hearing June 9, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-410 adopted setting hearing. (Clerk to handle)

CONSENT

28. Consider amendment to the 1980-81 budget to provide money for the Junior Golf Program.
(Proceeds are in trust with the City to sponsor and promote a George Maroney Junior Golf Tournament and instructional program for youth. This is the eighth program for youth. A transfer of \$275 to be paid the golf professional to organize and conduct the golf tournament and clinics, and \$263 for awards (a total of \$538) needs to be transferred from City Trust Fund to the General Fund Donations Account and then appropriated to General Fund Recreation Division of the Parks and Recreation Department. Resolution amending the 1980-81 operating budget needed.)

ACTION: Res. 81-411 adopted amending the 1980-81 operating budget. (Finance to handle)

CONSENT

29. Recommend to Council an amendment to P-D(53) - Marie Callender's, Berberian Trust. (On May 4, 1981, the Planning Commission adopted Resolution 81-115 recommending to the City Council an amendment to P-D(53) property located at the northeast corner of Sylvan Avenue and Coffee Road to allow a building expansion on the shopping center to include a restaurant and bar serving alcoholic beverages with or without food. Resolution setting public hearing June 9, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-412 adopted setting hearing.

(Clerk to handle)

30. Signs to be made conforming to the Sign Regulations by January 1, 1982. (Staff recommends that property owners/merchants be notified of the January 1, 1982 deadline; that two Code text amendments be initiated; and that sign permit fees for signs to be made conforming by January 1, 1982 be waived from June 1, 1981 through November 30, 1981. Memo with agenda. Motion directing staff to send letters and referring Code text amendments to the Planning Commission, and resolution waiving fees needed. Revenue waived: Approximately \$20,000.)

ACTION: By motion (Muratore/Siefkin, unan., Elliott absent) staff directed to send letters.

Res. 81-413 adopted (same vote) waiving fees. (Planning to handle)

Res. 81-414 adopted (same vote) referring Code text amendments to Planning Commission and setting hearing June 15, 1981, 7:30 p.m. (Planning to handle)

CONSENT

31. Legislation:

Staff recommends:

OPPOSING UNLESS AMENDED

- a) AB 1612 (Berman) Local Planning

OPPOSING

- b) AB 105 (Lockyer) Binding Arbitration: Transportation Services
c) AB 612 (Frazee) Subdivision Maps Life Extended
d) AB 1352 (Robinson) Subdivisions: housing regulation

SUPPORTING

- e) AB1113 (Costa) Local Agency Formation Commissions
f) AB 2004 (Cortese) Local Agency Formation Commissions
g) SB 77 (Marks) Mortgage Revenue Bonds for Single Family Housing

ONSENT

31. Legislation (Continued)

SUPPORTING

h) SB 305 (Greene) Disability Retirement

i) SB 500 (Beverly) Joint and Several Liability

j) SB 680 (Russell) PERS Contingency Reserve Account

(Memos and attachments with agenda. Motion approving recommendations needed.)

ACTION: By motion, recommendations approved.

(Mgmt. 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.)

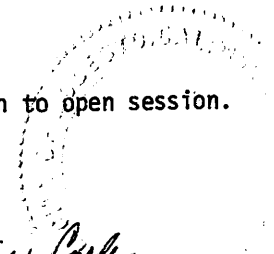
None

CLOSED SESSION

34. Closed session to consider an employee relations matter.

ADJOURNMENT

Adjourned to closed session at 4:20 p.m. and did not return to open session.

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, Elliott, Lang, Muratore, Mayor Mensinger

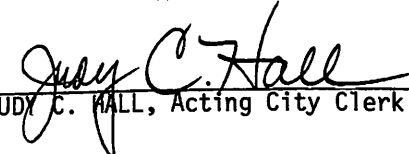
Absent: Councilmembers Patterson, Siefkin

The following budgets were reviewed:

- City Council
- City Manager
- Management Services
 - Administration/Governmental Relations
 - Citizen's Information Service
 - Personnel
 - Word Processing Center
 - Microfilming and Records
 - Office Services
 - Comprehensive Employment Training Act
 - Risk Management
 - Insurance
 - City Self-Insurance
- City Attorney
- City Clerk/Auditor
- Finance
 - Administration
 - Treasury
 - Accounting
 - Purchasing
 - Data Processing
 - Employee Benefits
 - Miscellaneous Unclassified
 - Central Stores
 - Bond Redemption and Interest Requirements
- Planning and Community Development
 - Downtown Improvement District
 - Housing and Community Development
- Parking and Traffic
 - Parking Fund
 - Bus Service
- Fire
 - Administration
 - Disaster and Civil Defense
 - Training
 - Prevention
 - Suppression

The meeting was adjourned at 4:58 p.m. to Thursday, May 21, 1981, at 3:00 p.m., in the Council Chambers.

ATTEST:


JUDY C. HALL, Acting City Clerk

Adjourned Regular Meeting
Modesto City Council
May 21, 1981

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, Elliott, Lang, Mayor Mensinger

Absent: Councilmembers Muratore, Patterson, Siefkin

The Council reviewed budgets for the following departments:

Police

- Department Administration/General
- Training
- Administrative Services - General
- Administrative Services - Property Inventory and Control
- Administrative Services - Records Management
- Stanislaus County Drug Enforcement Unit
- Investigation Services - General
- Investigation Services - Vice and Narcotics
- Investigation Services - Juvenile
- Investigation Services - Career Criminal Apprehension Program
- Investigation Services - Other Services
- Field Operations
 - General
 - Patrol
 - Traffic
 - Animal Control

Public Works

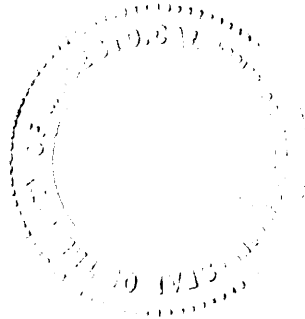
- Department Administration
- Engineering
- Construction Administration
- Building Inspection
- Electrical
- Streets
- Street Cleaning
- City Hall
- Water Production
- Water Distribution
- Water Service
- Sewerage Wastewater Collection

Public Works (continued)

Sewerage Wastewater Treatment - Primary
Sewerage Wastewater Treatment - Secondary
Sewerage Monitoring and Control
Airport
Bus Maintenance
Service Division - Main Shop
Service Division - Police Shop

The meeting was adjourned at 4:35 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 26, 1981, 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: Rabbi Samuel Graudenz, Congregation Beth Shalom

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 10, 11, 12, 13, 14, 15, 16, 17, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31

ACTION: (Siefkin/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.)

1. ACKNOWLEDGEMENTS

None

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular meeting of May 18, the regular meeting of May 19, and the adjourned regular meeting of May 20, 1981.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Consideration of request from Stanislaus County Fourth of July Committee regarding 1981 celebration.
(Memo with agenda detailing committee requests and staff recommendations. Resolution approving request needed. Estimated Cost: \$4,500. Funds are budgeted.)

ACTION: Res. 81-415 adopted approving request.

(Manager to handle)

5/26/81

CONSENT

4. Final adoption of Ord. No. 2039-C.S. rezoning from R-1 to R-2, property located on both sides of Hatch Road west of Dallas Street. (World Investment No. 4)
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2039-C.S. adopted.

(Clerk to handle)

HEARINGS

5. Hearing on amendment to P-D(21) to allow service of alcoholic beverages in conjunction with meals at the Purple Lantern Restaurant, located at the southeast corner of Tully Road and Standiford Avenue. (Tully Manor Investment Trust)

ACTION: Res. 81-416 adopted (Elliott/Lang, unan.) approving amendment. (Clerk to handle)

By motion (Siefkin/Bright, unan.) staff directed to send a letter to Stone Bros. telling them the concerns expressed about P-D(21) will be discussed at the June 9, 1981, Council meeting. (Planning to handle)

6. Hearing on amendment to Section 8-3-9 of the Zoning Map to rezone from R-2 to P-D(302) to allow conversion to condominiums, property located around Cougar Court south of Union Avenue. (Rule-Dale Properties)

ACTION: By motion (Elliott/Lang, majority, Patterson-no) Ord. No. 2040-C.S. introduced.

Res. 81-417 adopted (same vote) approving plan.

Res. 81-418 adopted (same vote) certifying review of Environmental Assessment.

(Clerk/Planning to handle)

7. Hearing to consider Empire East General Plan amendment.

ACTION: Res. 81-419 adopted (Lang/Elliott, unan.) deleting the Empire East Neighborhood from the General Plan. (Planning to handle)

8. Hearing to consider request by Airport Garbage (a partnership) to transfer their garbage license to Gilton Solid Waste Management, Inc.

ACTION: Res. 81-420 adopted (Bright/Elliott, unan.) consenting to transfer. (P.W. to handle)

9. Informal hearing to consider revised sewer service charges.

ACTION: Res. 81-421 adopted (Muratore/Siefkin, majority, Elliott-no) approving rates. (Finance to handle)

BIDS

CONSENT

10. Consider approval of plans and specifications for the construction of Standiford Avenue at Hetch Hetchy Right of Way.
(Suggested bid opening: June 16, 1981 at 11:10 a.m. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$123,100 (\$109,663.25 Contract; \$13,436.75 Engineering) Funds are budgeted.)

ACTION: Res. 81-422 adopted calling for bids.

(P.W. to handle)

CONSENT

11. Consider approval of plans and specifications and call for bids for the resurfacing of City streets - Spring 1981.
(Suggested bid opening: June 16, 1981 at 11:15 a.m. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$168,949 (\$153,590 Contract; \$15,359 Engineering) Funds are budgeted.)

ACTION: Res. 81-423 adopted calling for bids.

(P.W. to handle)

CONSENT

12. Approval of specifications and call for bids for Project No. 11 - replacement of curb, drive aprons and sidewalk at various locations.
(This project is required to restore proper drainage to curb damaged by City street trees. Suggested bid opening: June 9, 1981, at 11:05 a.m. Resolution approving specifications and calling for bids needed. Estimated Cost: \$93,450 (Constr. \$89,000; Eng. & Contg. \$4,450) Funds are budgeted.)

ACTION: Res. 81-424 adopted calling for bids.

(P.W. to handle)

CONSENT

13. Consider award of contract for the refinishing of clarifier No. 1 at the City of Modesto water quality control plant.
(Bids were opened on May 19, 1981. The low bid of \$21,610, submitted by Don L. Davis, Inc. is 13% 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 Don L. Davis, Inc. needed. Funds are budgeted.)

ACTION: Res. 81-425 adopted awarding contract.

(P.W. to handle)

CONSENT

14. Consider acceptance of Lee White Paving Company's contract for construction of Fire Prevention Bureau parking lot as complete. (Original contract and final cost: \$12,400)
(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. Funds are budgeted.)

ACTION: Res. 81-426 adopted accepting work as complete.

(Clerk to handle)

CONSENT

15. Consider acceptance of Superior Pipeline, Inc.'s contract for construction of waterline extension in Dallas Avenue. (Original contract: \$13,251)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$14,729.55. Funds are budgeted.)

ACTION: Res. 81-427 adopted accepting work as complete. (Clerk to handle)

CONSENT

16. Consider acceptance of The Flintkote Company's contract for construction of a 10' wide strip of major street on Blue Gum Avenue adjacent to the centerline between Carpenter Road and Pritchard Avenue as complete. (Original contract and final cost: \$23,500)
(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. Funds are budgeted.)

ACTION: Res. 81-428 adopted accepting work as complete. (Clerk to handle)

CONSENT

17. Consider Bibens Nursery's request for substitution of a subcontractor on their project for the landscaping and irrigation at Muncy Park.
(Section 4107 and following of the Government Code provides for substitution of subcontractors on a project when approved by the awarding authority. Since the subcontractor does not object, it is in order to approve the substitution. Memo with agenda. Resolution approving substitution of a subcontractor needed.)

ACTION: Res. 81-429 adopted approving substitution of subcontractor. (P.W. to handle)

WRITTEN COMMUNICATIONS

18. Letter from John Doxey, Design Concepts, requesting permission to make their Shasta Meadows Subdivision the test case of the "Garden Homes" concept rather than the Carpenter Plaza Subdivision.

ACTION: By motion (Lang/Bright, unan.) request approved. (Planning to handle)

19. Request by Bud and Cheri Halsey for a change in the P-0 Zone at 2020 Coffee Road to allow a sandwich shop.

ACTION: By motion (Siefkin/Muratore, unan.) directed staff to work with Mr. Halsey and the property owners on a change in their zoning. (Planning to handle)

20. Request by Rose Jones Nidiffer for City assistance with her "Center of the Community" project.

ACTION: By order of the Chair, staff requested to prepare a report on the need for the service being proposed. (Police to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

CONSENT

22. Consider acceptance of improvements in Janay Meadows subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Subdividers: Ronald S. and Gail C. Wose, and Bonham Builders, Inc. (Janay Meadows subdivision is located on the north side of Scenic Drive, opposite Wycliffe Drive. 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. 81-430 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

23. Consider approving agreement with William F. and Susan B. Berry for the acquisition of an avigation easement for the Modesto City-County Airport/Harry Sham Field. (The Berrys have agreed to sell the required avigation easement which contains 0.10± acres for the appraised value of \$400. This easement is required by the Federal Aviation Administration. The easement is located off the end of Runway 28R. This is the second of five easements needed for this project. Resolution approving agreement needed. Estimated cost of easement \$400; est. escrow \$400; total \$800; funds are budgeted.)

ACTION: Res. 81-431 adopted approving agreement. (P.W. to handle)

CONSENT

24. Consider approving agreement with Donald and JoAnn F. Haglund for the acquisition of an avigation easement for the Modesto City-County Airport/Harry Sham Field. (The Haglunds have agreed to sell the required avigation easement which contains .004± of an acre for the appraised value of \$100. This easement is required by the Federal Aviation Administration. The easement is located off the end of Runway 28R. This is the third of five easements needed for this project. Resolution approving agreement needed. Estimated cost of easement \$100; est. escrow \$400; total \$500; funds are budgeted.)

ACTION: Res. 81-432 adopted approving agreement. (P.W. to handle)

CONSENT

25. Consider approving agreement with Frances Epperson for the acquisition of 600± square feet of her property needed for the sidewalks - Sunrise/Lucern to Norwegian project. (Mrs. Epperson has agreed to sell the required right of way for the appraised value of \$1,620. This is the fourth of 11 parcels needed for this phase of the project. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 81-433 adopted approving agreement. (P.W. to handle)

CONSENT

26. Consider approving two agreements with Wendell L. Thompson for the acquisition of three parcels of land from three properties he owns. The properties contain 700±, 50±, and 550± square feet and are needed for the sidewalks - Sunrise/Lucern to Norwegian project.
(Mr. Thompson has agreed to sell the required right of way for the appraised value of \$3,590 for the first two parcels and \$1,455 for the other parcel. These are the fifth, sixth, and seventh parcels of 11 parcels needed for this phase of the project. Two resolutions approving agreements needed. Funds are budgeted.)

ACTION: Res. 81-434 adopted approving agreement for 700± and 50± sq. ft. parcels.

Res. 81-435 adopted approving agreement for a 550± sq. ft. parcel.
(P.W. to handle)

CONSENT

27. Consider approving agreement with William R. and Caroline J. Amundsen for the acquisition of 600± square feet of their property needed for the sidewalks - Sunrise/Lucern to Norwegian project.
(The Amundsens have agreed to sell the required right of way for the appraised value of \$1,640. This is the eighth of 11 parcels needed for this phase of the project.)

ACTION: Res. 81-436 adopted approving agreement. (P.W. to handle)

CONSENT

28. Consider authorizing the City Manager to sign a contract with Redwood Foods Packing Company for purchasing City chipped tree and brush trimmings for \$16 per ton. (Memorandum with agenda. Resolution approving contract needed.)

ACTION: Res. 81-437 adopted approving contract. (Finance to handle)

CONSENT

29. Consider waiving formal bid procedures and authorize the City Manager to sign a contract with Western Meter Service to repair a vehicle floor hoist for the Public Works Service Division.
(Memorandum with agenda. Resolution approving contract needed. (Five affirmative votes needed.) Estimated cost: \$5,855.64; funds are budgeted.)

ACTION: Res. 81-438 adopted approving contract. (Finance to handle)

CONSENT

30. Consider authorizing payment of \$8,029.21 to M.I.D. for line extension costs from Claus Road to City property for three phase, 480 volt electric services for future pump station #45.
(The drilling of pump station #45 is currently budgeted. The construction of the pump station is budgeted in fiscal year 81-82. Three phase electrical service will be required. The City will realize a savings if M.I.D. can install this in conjunction with other work that they are doing in the area. Resolution authorizing purchase order to M.I.D. needed. Funds are budgeted.)

ACTION: Res. 81-439 adopted authorizing purchase order. (P.W. to handle)

MISCELLANEOUS

CONSENT

31. Legislation:

Staff recommends:

SUPPORTING

- a) AB 86 (McAlister) Joint and Several Liability
- b) AB 941 (McCarthy) Review of Permits for Residential Developments
- c) SB 1123 (Davis) Public Safety Officers: Police Chief Exemption
- d) SB 788 (Presley) Hazardous Waste Legislation
- e) AB 1543 (Tanner) Hazardous Waste Legislation

OPPOSING

- f) SB 1049 (Montoya and Roberti) Hazardous Waste Legislation

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

ACTION: By motion, recommendations approved.

(Management Services to handle)

32. Appointments

None

33.

MATTERS TOO LATE FOR THE AGENDA

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

The City Attorney announced that at the close of the May 19, 1981 meeting, the Council adjourned to closed session to discuss pending litigation as well as an employee relations matter.

ADJOURNMENT

The meeting adjourned at 10:35 p.m. to Thursday, May 28, 1981, at 3:00 p.m., in the Council Chambers, to continue the review of the budget.

ATTEST: 
NORRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
May 28, 1981

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 Elliott, Muratore, Patterson, Siefkin, Mayor Mensinger
(Councilmember Patterson arrived at 4:20 p.m.)

Absent: Councilmembers Bright, and Lang

The following budgets were reviewed:

Parks and Recreation

Department Administration
Parks Service and Repair
Parks Grounds Maintenance
Trees Planting and Maintenance
Trees Preservation
Golf Courses - General
Golf Courses - 9 Hole
Golf Courses - Dryden
Cultural Program and Facilities - General
Cultural Program and Facilities - Museum
Cultural Program and Facilities - Mansion
Recreation
Miscellaneous Facilities - General
Miscellaneous Facilities - King-Kennedy
Miscellaneous Facilities - Senior Citizens Center
Miscellaneous Facilities - Community Service Center
Tuolumne River Regional Park

Capital Improvement Program

Briggsmore landscaping
Parks and Recreation Department

The meeting was adjourned at 5:00 p.m. to Monday, June 1, 1981, at 3:00 p.m. in the Council Chambers.

ATTEST: 
NORRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
June 1, 1981

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, Elliott, Lang, Muratore, Patterson,
Mayor Mensinger
(Councilmember Patterson arrived at 3:40 p.m.
Councilmember Muratore left at 4:25 p.m.)

Absent: Councilmember Siefkin

The following budgets were reviewed:

Music and Promotion
California Relays
Modesto Band of Stanislaus County
Modesto Symphony Orchestra
Modesto Chamber of Commerce
Modesto Association of the Performing Arts
Coalition Center of the Disabled, Inc.
Salvation Army Services
American Legion Baseball
Modesto Civic Theatre

Capital Improvement Program
Fire
Parks and Recreation
Water Utility Development

The meeting adjourned at 5:00 p.m.

ATTEST: 

Norrine Coyle

NORRINE COYLE City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 2, 1981, 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. Tom Foster, St. Paul's Episcopal Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20,
Dropped from Agenda: 35 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33,
34, 37, 38

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

Ross Campbell introduced Ed Walker, newly appointed Assistant Director of Public Works.

PRESENTATIONS

2. Invitation by Tom Harris, Sr., to the dedication of the Ernest F. Soderstrom Rotary Pavilion.

Mr. Harris invited the City Council to the dedication on June 23, 1981, at noon.

MINUTES

CONSENT

3. Approval of the minutes of the adjourned regular meeting of May 21, and the regular meeting of May 26, 1981.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

4. Final adoption of Ord. No. 2040-C.S. rezoning from R-2 to P-D(302) to allow conversion to condominiums, property located on Cougar Court, south of Union Avenue (Rule-Dale Properties).
(Motion adopting needed.)

ACTION: By motion (Lang/Siefkin, majority, Patterson-no) Ord. No. 2040-C.S. adopted.
(Clerk to handle)

HEARINGS

5. Hearing on amendment to the adopted Zoning and DeveTopment Plan for the Orchard Neighborhood.

ACTION: Res. 81-440 adopted (Siefkin/Patterson, unan.) approving the Orchard Neighborhood Zoning and Development Plan.
(Planning to handle)

6. Hearing on amendment to Section 10-2.1801(a) of the Zoning Ordinance relating to handicapped parking spaces.

ACTION: By motion (Siefkin/Lang, unan.) Ord. No. 2041-C.S. introduced. (Clerk to handle)

7. Hearing on amendments to Articles 20, 21, and 22 of the Zoning Ordinance pertaining to setting of and notice for public hearings.

ACTION: By motion (Muratore/Patterson, unan.) Ord. No. 2042-C.S. introduced.
(Clerk to handle)

8. Hearing on amendments to the Conflict of Interest Codes of the City Attorney's Office, City Manager's Office, Finance Department, Fire Department, Planning and Community Development Department, Police Department, and Public Works Department.

ACTION: Res. 81-441 adopted (Lang/Siefkin, unan.) amending the City Attorney's Conflict of Interest Code.
Res. 81-442 adopted (same vote) amending City Manager's Conflict of Interest Code.
Res. 81-443 adopted (same vote) amending Finance Dept. Conflict of Interest Code.
Res. 81-444 adopted (same vote) amending Fire Dept. Conflict of Interest Code.
Res. 81-445 adopted (same vote) amending Planning Dept. Conflict of Interest Code.
Res. 81-446 adopted (same vote) amending Police Dept. Conflict of Interest Code.
Res. 81-447 adopted (same vote) amending Public Works Dept. Conflict of Interest Code.
(Clerk to handle)

9. Hearing to consider adjustment to service charges for garbage service.

ACTION: Res. 81-448 adopted (Lang/Elliott, unan.) setting rates. (Finance to handle)
By motion (Siefkin/Elliott, unan.) request by Ecology Action referred to the "Council Solid Waste Advisory Committee".
(Manager to handle)

10. Hearing to consider the filing of a Federal transit operating assistance grant for fiscal year 1981-82.

ACTION: Res. 81-449 adopted (Elliott/Muratore, unan.) approving filing application.
(P.T. to handle)

BIDS

CONSENT

11. Consider approval of plans and specifications and call for bids for the replacement of apparatus doors at Fire Station No. 1.
(This project is to replace three existing wooden apparatus doors at Fire Station No. 1, which have become hazardous and unreliable, with insulated fiberglass type doors with new operators and controls. Suggested bid opening: June 23, 1981 at 11:00 a.m. Resolution accepting plans and specifications and calling for bids needed. Estimated Cost: \$13,000 (Constr. \$10,000; Eng. & Contg. \$3,000). Funds are budgeted.)

ACTION: Res. 81-450 adopted calling for bids. (P.W. to handle)

CONSENT

12. Consider approving specifications and authorize call for bids to be opened June 23, 1981, at 2:00 p.m., for furnishing landscape maintenance services for the 1981-82 fiscal year.
(Current contracts for landscape maintenance services on Public Works pump stations and City traffic islands are due to expire June 30, 1981. Services have been performed on a trial basis for the past year and have proven to be successful. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$55,000. Funds are budgeted.)

ACTION: Res. 81-451 adopted calling for bids. (Finance to handle)

CONSENT

13. Consider approval of plans and specifications and call for bids for the installation of irrigation system at Mancini Park.
(Suggested bid opening: June 23, 1981 at 11:10 a.m. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$44,045 (Contract, \$36,401; Eng. & Contg. \$7,644). Funds are budgeted.)

ACTION: Res. 81-452 adopted calling for bids. (P.W. to handle)

CONSENT

14. Consider approval of plans and specifications and call for bids for installation of play apparatus in Muncy Park.
(Suggested bid opening: June 23, 1981, at 11:15 a.m. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$24,805 (\$22,550 Contract; \$2,255, Eng.). Funds are budgeted.)

ACTION: Res. 81-453 adopted calling for bids. (P.W. to handle)

CONSENT

15. Consider approval of plans and specifications and call for bids for the construction of bus fueling facility.
(Suggested bid opening: June 23, 1981 at 11:05 a.m. This is to provide additional fueling storage capacity for the City buses and to provide better pumps for faster fueling. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$26,151.30 (Contr. \$24,906; Eng. \$1,245.30). Funds are budgeted.)

ACTION: Res. 81-454 adopted calling for bids.

(P.W. to handle)

CONSENT

16. Consider award of contract for the construction of T-hangar "J" at Modesto City-County Airport/Harry Sham Field.
(Bids were opened May 5, 1981 and the low bid of \$153,057.74 submitted by Stanislaus Pump is 4.7% above the engineer's estimate and is considered acceptable. It is therefore recommended by Public Works to award the contract to them. Memo with agenda. Resolution awarding contract to Stanislaus Pump needed. Funds are budgeted.)

ACTION: Res. 81-455 adopted awarding contract.

(P.W. to handle)

CONSENT

17. Consider acceptance of Lee White Paving Company's contract for residential alley reconstruction Project #8 as complete. (Original contract; \$21,105.95).
(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. Final Cost: \$21,931.39. Funds are budgeted.)

ACTION: Res. 81-456 adopted accepting work as complete.

(Clerk to handle)

CONSENT

18. Consider declaring Flintkote Cement and Lime Company low bidder on Items 1, 3, and 4 and M.J. Ruddy and Son low bidder on Items 2, 5, 6, 7 and 8 for the City's annual requirements of rock, sand, and gravel products.
(Memorandum with agenda. Resolution declaring Flintkote Cement and Lime Company and M.J. Ruddy and Son low bidders and authorize the purchase of these products at the respective bid prices. Estimated Cost: \$30,500. Funds are budgeted.)

ACTION: Res. 81-457 adopted awarding contracts.

(Finance to handle)

CONSENT

19. Consider declaring PureGrow Company sole bidder and authorizing the purchase of liquid anhydrous ammonia for a price of \$228.57 per ton.
(Memorandum with agenda. Resolution declaring PureGrow Company sole bidder and authorizing the purchase. Estimated Cost: \$36,750. Funds are budgeted.)

ACTION: Res. 81-458 adopted awarding contract.

(Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

20. Appeal by Sanders Construction Co. concerning a decision of the Planning Commission regarding a P-D application, property located at the southeast corner of Floyd Avenue and Oakdale Road.
(Resolution setting hearing June 23, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-459 adopted setting hearing. (Clerk to handle)

CONSENT

21. Request by John and Kristee Kearney to have the south end of Foy Street barricaded on Friday and Saturday nights.
(Motion referring to staff for recommendation needed.)

ACTION: By motion, request referred to staff for recommendation. (Police to handle)

CONSENT

22. Letter from Harold Schulenberg resigning from the Board of Zoning Adjustment.
(Resolution accepting resignation with regret needed.)

ACTION: Res. 81-460 adopted accepting resignation with regret. (Clerk to handle)

23.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

- ACTION: Robert Teeple pointed out problems in Westside Park and asked that the Park be closed at dark. By order of the Chair, matter referred to staff for recommendation.
(P.R. to handle)

NEW BUSINESS

CONSENT

24. Consider joining in four amicus curiae briefs as follows: (1) City and County of San Francisco v. Farrell relating to business license taxes; (2) City of Watsonville v. Merrill relating to property taxes; (3) Collins v. City of Los Angeles relating to condominium conversion; and (4) Glendora Community Redevelopment Agency v. Demeter relating to contingent liabilities of public agencies.
(Memo of explanation with agenda. Motion authorizing city's participation needed.)

ACTION: By motion, City's participation authorized. (Atty. to handle)

CONSENT

25. Consider request to increase fees paid to Utility Pay Stations from 9¢ per bill to 13¢ per bill.
(Memo with agenda. Resolution approving new agreements with seven pay stations needed. Estimated increase per year: \$2,000; funds are budgeted.)

ACTION: Res. 81-461 adopted approving agreements. (Finance to handle)

CONSENT

26. Consider approving agreement with Bob G. and Larry D. Moss for the acquisition of 842.6± square feet of their property needed for the sidewalks - Sunrise/Lucern to Norwegian project.
(The Mosses have agreed to sell the required right of way for the appraised value of \$2,280. This is the ninth of eleven parcels required for this phase of the project. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 81-462 adopted approving agreement, (P.W. to handle)

CONSENT

27. Consider approving amendment to agreement with Senior Opportunity Services Program of Stanislaus County, Inc., to allow a change in use at the City-owned property at 416 Downey.
(S.O.S.P. has been using the old fire station at 416 Downey since 1974 as storage for their Senior Food Service program and as an office. They now wish to move their boutique to the site which is properly zoned for the use. Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 81-463 adopted approving amendment to agreement. (P.W. to handle)

CONSENT

28. Consider setting public hearing on service reductions and fare increases on Intracity Transit and Dial-A-Ride.
(Memo with agenda. The service reductions/fare increases are needed to comply with new State mandated fare box revenue percentages that the City's two transit systems must achieve beginning with the 1981-82 fiscal year. Resolution setting hearing July 7, 1981 at 4:00 p.m. needed.)

ACTION: Res. 81-464 adopted setting hearing. (Clerk to handle)

CONSENT

29. Recommend to Council an amendment to Section 26-3-9 of the Zoning Map - Bright Construction.
(On May 18, 1981, the Planning Commission adopted Resolution 81-125 recommending to the City Council an amendment to Section 26-3-9 of the Zoning Map to rezone from P-D(77) to R-1, property located on the west side of Capistrano Drive extended north of Yosemite Boulevard. (Planning Commission initiated.) Resolution setting public hearing June 23, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-465 adopted setting hearing. (Clerk to handle)

CONSENT

30. Recommend to Council an amendment to Section 13-3-8 of the Zoning Map - Bright Construction.
(On May 18, 1981, the Planning Commission adopted Resolution 81-127 recommending to the City Council an amendment to Section 13-3-8 of the Zoning Map to rezone from P-D(112) to R-1, property located at the southeast corner of Rumble Road and Conant Avenue. (Planning Commission initiated.) Resolution setting public hearing June 23, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-466 adopted setting hearing. (Clerk to handle)

CONSENT

31. Recommend to Council an amendment to Section 10-3-9 of the Zoning Map - Stone Bros. and Associates.
(On May 18, 1981, the Planning Commission adopted Resolution 81-118 recommending to the Council an amendment to Section 10-3-9 of the Zoning Map to rezone from R-2 to P-D(305) to allow conversion of existing duplexes to condominiums, property located on the east side of Coffee Road north and south of Grand Prix Drive. Resolution setting public hearing June 23, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-467 adopted setting hearing. (Clerk to handle)

CONSENT

32. Recommend to Council an amendment to Section 19-3-9 of the Zoning Map - Carpenter Road Associates.
(On May 18, 1981, the Planning Commission adopted Resolution 81-120 recommending to the Council an amendment to Section 19-3-9 of the Zoning Map to rezone from M-1 to P-D(304) to allow professional office condominium and bank site, property located on the southeast corner of Carpenter Road and Blue Gum Avenue. Resolution setting public hearing June 23, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-468 adopted setting hearing. (Clerk to handle)

CONSENT

33. Consider submission to LAFCO of City's claim for apportionment of Woodland Fire District's Assets (Kansas Avenue and Kansas Avenue No. 2 annexations).
(Memo with agenda. Resolution authorizing submission of claim to LAFCO needed.)

ACTION: Res. 81-469 adopted authorizing submission of claim to LAFCO. (Finance to handle)

CONSENT

34. Consider appropriation transfer to fully finance actual City costs of the Animal Control Center (\$60,000 additional) and the Communications Center (\$120,000 additional) as provided by agreements with Stanislaus County.
(Memo with agenda. Resolution approving appropriation transfer needed.)

ACTION: Res. 81-470 adopted approving appropriation transfer. (Finance to handle)

CONSENT

35. Consider approval of the final map of Jansson Flower 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. Subdividers: Housing Authority of the County of Stanislaus.
(The subdivision agreement has been signed and all fees paid. Jansson Flower Estates is located between Haddon Avenue and Roble Avenue, on both sides of Phoenix Avenue. It contains 5.142 acres. Resolution approving final map needed.)

Dropped from agenda.

36. Consideration of Stanislaus Area Amtrak Study.
(Memorandum with agenda. Motion acknowledging receipt of report and directing staff needed.)

ACTION: By motion (Siefkin/Lang, unan.) opposition was expressed to moving the Amtrak station to Empire and a preference of providing Amtrak service in Modesto.
(Manager to handle)

CONSENT

37. Consider application for a grant through the Office of Criminal Justice Planning for an "Organized Juvenile Offenders Division Program."
(Memo with agenda. Resolution approving grant application needed.)

ACTION: Res. 81-471 adopted approving grant application. (Police to handle)

MISCELLANEOUS

CONSENT

38. Legislation:

Staff recommends:

OPPOSE AS AMENDED

- a) ACA 35 (N. Waters) City and County Elected Officers.

OPPOSE UNLESS AMENDED

- b) AB 1618 (Costa) Mortgage Revenue Bonds.

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

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

39. Appointments

- a. Appointment of Council Airport Committee member to serve as a member of a joint ad hoc study committee considering feasibility of a joint study by involved agencies to consider establishment of a regional airport. (Memorandum with agenda. Resolution appointing member needed.)

ACTION: By motion (Bright/Siefkin, unan.) Councilmember Elliott designated as Modesto City Council representative. (P.W. to handle)

- b. Other

None

40.

MATTERS TOO LATE FOR THE AGENDA

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

- a. State 1981-82 budget.


ACTION: By motion (Muratore/Siefkin, unan.) the State Assembly budget cut bill supported and SB102 opposed. (Mgmt. Services to handle)

41. Closed session to discuss an employee relations matter and property acquisition.

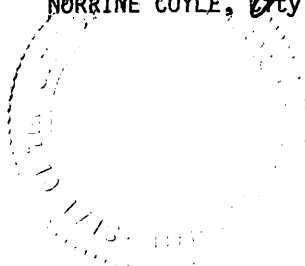
ADJOURNMENT

Adjourned at 6:15 p.m. to closed session and then to Thursday, June 4, 1981, 3:00 p.m., City Council Chambers.

ATTEST:



NORRINE COYLE, City Clerk



Adjourned Regular Meeting
Modesto City Council
June 4, 1981

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, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

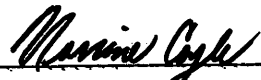
Absent: None

The following budgets were reviewed:

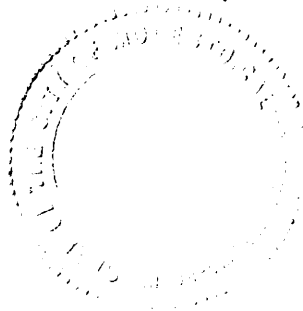
Capital Improvement Program
Sewer Lines and Treatment Facilities
Storm Drainage
Streets
Street Lights
Airport
Downtown Area Improvements
Service Pool Equipment

The meeting was adjourned at 3:55 p.m., to Monday, June 8, at 3:00 p.m. in the Council Chambers.

ATTEST:



NORRINE COYLE, City Clerk



Adjourned Regular Meeting
Modesto City Council
June 8, 1981

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, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

Absent: Councilmembers: None


The following budgets were reviewed:

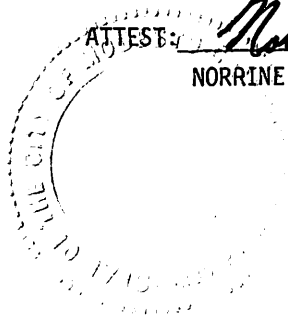
Capital Improvement Program
Other Equipment Acquisitions and Facility Improvements

ACTION: Res. 81-472 adopted (Muratore/Lang, unan.) directing the staff to contact local industries and industries contemplating plant construction in the Modesto area to determine their requirements for steam and to discuss other technical matters that would affect the design of a steam generating plant tailored to the needs of the potential customers. (P.W. to handle)

Traffic - Signals and Other Protective Controls
Parking Facility Development
Bus Service - Facilities and Equipment

The meeting adjourned at 4:25 p.m. to closed session to consider an employee relations matter.

ATTEST: 
NORRINE COYLE, City Clerk



6/8/81

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 9, 1981, 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 Thomas Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3~~b~~, 11, 12, 13, 14, 15, 16, 17, 18, 19,
Dropped from agenda: 3a, 24 20, 21, 23, 25, 26, 27, 28, 29, 30, 31, 32

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

None

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular City Council meetings of May 28, and June 1, 1981, and the regular meeting of June 2, 1981.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:
a. Ord. No. 2041-C.S. amending the Modesto Municipal Code section concerning handicapped parking.
Dropped from agenda.
b. Ord. No. 2042-C.S. amending the Modesto Municipal Code sections concerning public hearings.

(Motion adopting needed.)

ACTION: By motion, Ordinance No. 2042-C.S. adopted.

(Clerk to handle)

HEARINGS

4. Continued hearing on amendment to Section 10-3-9 of the Zoning Map to rezone from R-3 to P-D(298), property located at the southeast corner of Coffee Road and Sylvan Avenue to allow a professional office park including a financial institution. (Robert Weeks) (Continued from the Council meeting of May 12, 1981.)

ACTION: By motion (Muratore/Lang, majority, Patterson, Siefkin, Mayor Mensinger - no) Ord. No. 2043-C.S. introduced.

Res. 81-473 adopted (same vote) approving development plan.

Res. 81-474 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

5. Hearing on appeal by GO Enterprises to a decision by the Board of Zoning Adjustment concerning a variance from Modesto Municipal Code Section 10-2.806 as it applies to a shopping center at 950 Oakdale Road.

ACTION: By motion (Lang/Elliott, unan.) hearing continued to June 23, 1981, 7:30 p.m. (Clerk to handle)

6. Hearing on appeal by Racor Development to a decision of the Planning Commission concerning rezoning the northeast corner of Needham and Sycamore.

ACTION: By motion (Elliott/Patterson, majority, Siefkin, Mayor Mensinger - no) Ord. No. 2044-C.S. introduced.

Res. 81-475 adopted (same vote) stating reasons for granting the appeal, and certifying review of Environmental Assessment. (Clerk/Planning to handle)

7. Hearing on amendment to P-D(21) property located at the southeast corner of Tully and Standiford to allow a family amusement machine center. (Tully Manor Shopping Center)

ACTION: By motion (Siefkin/Patterson, majority, Elliott, Muratore - no) Ord. No. 2045-C.S. introduced.

Res. 81-476 adopted (same vote) approving plan. (Clerk to handle)

By order of the Chair, staff to report to Council on whether problems in the driveway behind Raleys have been solved. (Planning to handle)

8. Hearing on amendment to P-D(53) property located at the northeast corner of Sylvan Avenue and Coffee Road to allow a building expansion on the shopping center to include a restaurant and bar serving alcoholic beverages with or without food. (Marie Callender's Berberian Trust)

ACTION: By motion (Lang/Elliott, majority, Siefkin-no) Ord. No. 2046-C.S. introduced.

Res. 81-477 adopted (same vote) approving plan. (Clerk to handle)

By order of the Chair, staff directed to contact the Stanislaus Union School District Superintendent about the safety of children walking to the school on Sheldon, and to look into the need for stop signs at Sheldon and Pembroke Drive. (Police/P.T. to handle)

9. Hearing on amendment to Section 7-3-9 of the Zoning Map to rezone from R-1 to P-D(303) to allow a 204 unit one and two-story residential condominium, property located on the east side of Prescott Road extended, on both sides of Sheldon Drive. (Sanders Construction)

ACTION: By motion (Lang/Bright, unan.) Ord. No. 2047-C.S. introduced.

Res. 81-478 adopted (same vote) approving plan.

Res. 81-479 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

10. Hearing on 1981-82 Operating Budget, Capital Improvement Program and Revenue Sharing Program.

No action taken.

BIDS

CONSENT

11. Consider approval of plans and specifications and call for bids for the Sylvan Neighborhood Park training pool.

(This pool is being constructed as Phase 4 of the Sylvan Park development plan. Suggested bid opening date is June 30, 1981, at 11:00 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$56,400 (Constr. \$50,400; Eng. \$6,000) Funds are budgeted.)

ACTION: Res. 81-480 adopted calling for bids. (P.W. to handle)

CONSENT

12. Consider approval of plans and specifications and call for bids for the Kansas Avenue waterline extension.

(Suggested bid opening: June 30, 1981, at 11:05 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$43,685 (Contr. \$39,259; Eng. \$4,426) Funds are budgeted.)

ACTION: Res. 81-481 adopted calling for bids. (P.W. to handle)

CONSENT

13. Consider accepting the proposal of Modesto Blue Printers to furnish blueprint services for the City of Modesto for the 1981-82 Fiscal Year at the price of 8 ¢ cents per square foot.

(Memorandum with agenda. Resolution accepting the proposal of Modesto Blue Printers needed. Estimated Cost: \$15,000. Funds are budgeted.)

ACTION: Res. 81-482 adopted accepting proposal. (Finance to handle)

CONSENT

14. Consider authorizing the purchase of annual dry-cell batteries from Central Valley Safety for 59% off list prices for Bright Star batteries. (Memorandum with agenda. Resolution authorizing purchase needed. Estimated Cost: \$2,400. Funds are budgeted.)

ACTION: Res. 81-483 adopted authorizing purchase. (Finance to handle)

CONSENT

15. Consider declaring Western States Testing low bidder and authorize the purchase of annual compaction, aggregate, and concrete testing services from the firm for prices noted on Exhibit A with the memo. (Memorandum with agenda. Resolution authorizing purchase needed. Estimated Cost: \$9,375. Funds are budgeted.)

ACTION: Res. 81-484 adopted authorizing purchase. (Finance to handle)

CONSENT

16. Consider acceptance of W. Gale Fisher, Inc.'s contract for construction of waterline extension in Princeton Avenue as complete. (Original contract: \$11,160). (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$11,070.80. Funds are budgeted.)

ACTION: Res. 81-485 adopted accepting work as complete. (Clerk to handle)

CONSENT

17. Consider accepting demolition of the former Book Nook building at 9th and I Streets as complete. (This contract is one of three which will result in the Interim Bus Terminal. It covered only demolition of the building. Work has been satisfactorily completed. Memo with agenda. Resolution accepting project as complete and directing City Clerk to file Notice of Completion needed. Estimated Cost: \$2,390. Funds are budgeted.)

ACTION: Res. 81-486 adopted accepting as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

18. Letter from Steven A. Shaw concerning use of existing buildings for a performing arts complex. (Motion referring letter to Culture Commission for recommendation needed.)

ACTION: By motion, letter referred to Culture Commission for recommendation. (P.R. to handle)

CONSENT

19. Application by Charles Prentice to operate taxi cabs in Modesto. (Motion referring to staff for recommendation needed and resolution setting hearing for July 7, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-487 adopted setting hearing. (Clerk to handle)

CONSENT

20. Request by Laurence H. Martin to hold an informal hearing regarding the use of special assessment bond financing.
(Resolution setting hearing July 28, 1981, 7:30 p.m needed.)

ACTION: Res. 81-488 adopted setting hearing. (Clerk to handle)

CONSENT

21. Appeal by Chuck Moody to a decision of the City Manager concerning reimbursement for moving expenses.
(Resolution setting hearing June 16, 1981, 4:00 p.m. needed.)

ACTION: Res. 81-489 adopted setting hearing. (Clerk to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

CONSENT

23. Presentation of Financial Statement for May, 1981.
(Copies of report will be presented at meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

24. Consider approval of the final map of Rosegate Townhouses No. 2 subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Rosegate Investment Group.
(The subdivision agreement has been signed and all fees paid. Rosegate Townhouses No. 2 is located north of Scenic Drive and west of Rose Avenue. It contains 0.381 acres. Resolution approving final map needed.)

Dropped from agenda.

CONSENT

25. Consider agreement between Yosemite Community College District of Stanislaus County, California, and the City of Modesto.
(Agreement provides for waiver of all fees for use of each agency's facilities by other agency. Resolution approving agreement needed.)

ACTION: Res. 81-490 adopted approving agreement. (P.R. to handle)

CONSENT

26. Consider agreement with World Investments No. 4 to acquire 2.53± acres of land needed for Tuolumne River Regional Park.
(World Investments No. 4 has agreed to sell the required property for the appraised value of \$76,000. Memo with agenda. Resolution approving agreement needed.
Estimated cost: \$80,000 (Cost \$76,000; Est. Escrow \$4,000); funds are budgeted.)

ACTION: Res. 81-491 adopted approving agreement. (P.W. to handle)

CONSENT

27. Consider amending the resolution establishing payroll periods for employees of the City of Modesto.
(Memo with agenda. One resolution needed.)

ACTION: Res. 81-492 adopted establishing payroll periods. (Mgmt. Services/Finance to handle)

CONSENT

28. Consider acceptance of improvements in Woodglen Park No. 3 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Subdividers: Joaquin Construction Co., Inc.)
(Woodglen Park No. 3 subdivision is located west of Dale Road and south of Snyder 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. 81-493 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

29. Appointment of auditors to audit Downtown Multilevel Parking Facility Project (EDA Project No. 07-01-02191) in accordance with Federal Economic Development Administration policies.
(An audit of completed projects by an independent auditor is required. Lowry Accountancy Corporation has submitted a proposal to do the audit for a maximum of \$3,000. Proposal and letter from the Economic Development Administration accepting the audit proposal with agenda. Resolution approving letter agreement with Lowry Accountancy Corporation to conduct the audit needed. Funds are budgeted.)

ACTION: Res. 81-494 adopted approving agreement. (Finance to handle)

CONSENT

30. Consider adopting resolution approving LAFCO Questionnaire pertaining to the Hatch Road No. 2 Governmental Reorganization.
(The Hatch Road No. 2 Governmental Reorganization consists of 12.736 acres located on the south side of W. Hatch Road, west of Crows Landing Road. It contains one ranchette dwelling and approximately 11 acres of vacant land. Memo, maps, and Questionnaire with agenda. Resolution approving LAFCO Questionnaire needed.)

ACTION: Res. 81-495 adopted approving LAFCO Questionnaire. (Planning to handle)

CONSENT

31. Recommend to Council an amendment to Section 23-3-9 of the Zoning Map - G.O. Enterprises.
(On June 1, 1981, the Planning Commission adopted Resolution 81-135 recommending to the Council an amendment to Section 23-3-9 of the Zoning Map to rezone from C-1 to P-D(306) to allow C-1 uses and two restaurants to have separate cocktail lounges and serve alcoholic beverages with or without sale of food, property located on the east side of Oakdale, south of Surrey Avenue. Resolution setting public hearing June 23, 1981, 7:30 p.m. needed.)

ACTION: Res. 81-496 adopted setting hearing.

MISCELLANEOUS

CONSENT

32. Legislation: Staff recommends:

OPPOSING

- a) SB 367 (Greene) Workers' Compensation
- b) SB 369 (Greene) Workers' Compensation
- c) SB 423 (Greene) Workers' Compensation
- d) SB 436 (Greene) Workers' Compensation

SUPPORTING

- e) AB 1200 (McCarthy) Clean Water Bond Act
(Memos and attachments with agenda. Motion approving staff recommendations needed.)

ACTION: By motion, recommendations approved.

33. Appointments

None

34.

MATTERS TOO LATE FOR THE AGENDA

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

- a. Agreement with County for use of their transportation vans.

ACTION: Res. 81-497 adopted (Elliott/Bright, unan.) approving a hold harmless agreement with the County of Stanislaus for use of County transportation vans on June 13, 1981, Graffiti Night.
(Police to handle)

- b. Appeal by Anthony Mistlin, Mistlin Honda, to a decision of the Board of Zoning Adjustment.

ACTION: Res. 81-498 adopted (Bright/Lang, unan.) setting hearing June 23, 1981, 7:30 p.m. to consider appeal.
(Clerk to handle)

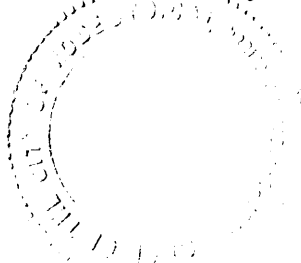
ADJOURNMENT

The meeting adjourned at 12:20 p.m. to Wednesday, June 10, 1981, 3:00 p.m. in the Council Chambers to continue discussion of the budget.

ATTEST:



NORRINE COYLE City Clerk



Adjourned Regular Meeting
Modesto City Council
June 10, 1981

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, Elliott, Muratore, Patterson,
Mayor Mensinger
(Councilmember Patterson arrived at 3:55 p.m.
Councilmember Bright left the meeting at 4:05 p.m.)

Absent: Councilmembers Lang, Siefkin

The following budgets were reviewed:

Capital Improvement Program
Other Equipment Acquisitions and Facility Improvements

Music and Promotions
(Community groups)

Briggsmore curbs and/or landscaping

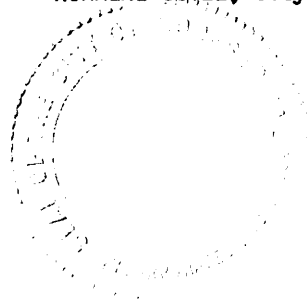
The City's Parks development policy was discussed.

The meeting was adjourned at 4:25 p.m.

ATTEST:

Norrine Coyle

NORRINE COYLE, City Clerk



ACTION AGENDA AND MINUTES

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 16, 1981, AT 4:00 P.M.

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

(Councilmember Bright arrived at 4:07 p.m.)

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: A moment of silence was observed.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 8, 9, 10, 11, 12, 13, 15, 16, 17,
18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28,
29, 30, 31, 32

ACTION: (Patterson/Elliott, unan., Bright and Mayor Mensinger absent)

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

1. ACKNOWLEDGEMENTS

None

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular meetings of June 4, June 8, and June 10, and the regular City Council meeting of June 9, 1981.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Final adoption of:

Ord. No. 2045-C.S. amending P-D(21) to allow a family amusement machine center.
(Tully Manor Shopping Center)

ACTION: By motion (Patterson/Bright, majority, Elliott, Muratore-no, Mayor absent) Ord. adopted.

4. Ord. No. 2046-C.S. amending P-D(53) to allow a building expansion on shopping center at the northeast corner of Sylvan Avenue and Coffee Road. (Marie Callender's Berberian Trust)

ACTION: By motion (Bright/Elliott, majority, Siefkin-no, Mayor Mensinger absent) Ord.
No. 2046-C.S. adopted.

(Clerk to handle)

CONSENT

5. Final adoption of:

- a. Ord. No. 2041-C.S. amending the Modesto Municipal Code section concerning handicapped parking.
- b. Ord. No. 2047-C.S. amending Section 7-3-9 of the Zoning Map to rezone from R-1 to P-D(303) to allow a 204 unit one and two-story residential condominium, property located on the east side of Prescott Road extended, on both sides of Sheldon Drive. (Sanders Construction)

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

6. Hearing on the appeal by Setliff Bros. to a Board of Zoning Adjustment decision regarding a conditional use permit, property located at 7th Street and Tuolumne Boulevard. (On April 21, Council continued this hearing to June 16, 1981, at appellant's request.)
(The appellant is requesting that the Council continue this hearing to July 21, 1981, 7:30 p.m., to allow the appellant's attorney time to study activities by the Tuolumne River Regional Park Committee.)

ACTION: By motion (Elliott/Siefkin, unan., Bright and Mayor Mensinger absent) hearing continued to July 21, 1981.

(Clerk to handle)

7. Hearing on appeal by Chuck Moody to a decision of the City Manager concerning reimbursement for moving expenses.

ACTION: By motion (Patterson/Elliott, unan., Mayor Mensinger absent) the matter referred to staff with a report to be made within 60 days, and the 6th month time limit for filing a claim was waived.

(Mgr. to handle)

BIDS

CONSENT

8. Consider declaring Flintkote Cement Company low bidder and authorizing the purchase of the City's annual requirements of ready-mixed concrete products at the prices bid. (Memorandum with agenda. One resolution declaring Flintkote Cement Company low bidder and authorizing the purchase of ready-mixed concrete products at the prices bid needed. Estimated cost: \$13,000; funds are budgeted.)

ACTION: Res. 81-499 adopted awarding contract.

(Finance to handle)

CONSENT

9. Consider declaring Crystal Pool Service and All Pure Chemical low bidders on swimming pool chlorine and acid products at the respective prices bid.
(Memorandum with agenda. One resolution declaring Crystal Pool Service low bidder for chlorine tablets and muratic acid and declaring All Pure Chemical Company low bidder for liquid chlorine and authorizing the purchase of these products at the prices bid. Estimated cost: \$5,100; funds are budgeted.)

ACTION: Res. 81-500 adopted awarding contracts to Crystal Pool Service and All Pure Chemical.
(Finance to handle)

CONSENT

10. Consider award of contract for Project No. 11 - replacement of curb, drive aprons and sidewalks at various locations.
(Bids were opened June 9, 1981, and the low bid of \$84,700, submitted by Dee Burton, is 4% below the engineer's estimate. It is, therefore, recommended by staff to award the contract to Dee Burton. Resolution awarding contract to Dee Burton needed. Estimated cost: \$89,150 (\$84,700 Contract; \$4,450 Eng. & Contg.); funds are budgeted.)

ACTION: Res. 81-501 adopted awarding contract. (P.W. to handle)

CONSENT

11. Consider award of contract for improvements to Sylvan Avenue between McHenry Avenue and Coffee Road.
(Bids were opened June 9, 1981, and the low bid of \$172,414.20, submitted by The Flintkote Company, is 31% below the engineer's estimate and is considered acceptable. It is, therefore, recommended by staff to award the contract to them. Resolution awarding contract to The Flintkote Company needed. Estimated cost: \$209,685.68 (\$172,414.20 Contract; Eng. \$37,271.48); funds are budgeted.)

ACTION: Res. 81-502 adopted awarding contract. (P.W. to handle)

CONSENT

12. Consider award of contract for the installation of Sonoma Park play apparatus.
(Bid tabulation with agenda. Bids were opened on June 2, 1981. The apparent low bidder, Fries Landscape Co., contractor's license was expired, making his bid invalid. The second low bidder, California Sports Construction, bid of \$24,490, is 3% above the engineer's estimate and considered acceptable. It is, therefore, recommended by the Public Works and Parks Department that the contract be awarded to them. Resolution awarding contract to California Sports Construction needed. Funds are budgeted.)

ACTION: Res. 81-503 adopted awarding contract. (P.W. to handle)

CONSENT

13. Consider waiving formal bid procedures for the 81-82 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 of gas and diesel needed. Estimated cost July 1981 - June 1982: \$732,117; funds are budgeted.)

ACTION: Res. 81-504 adopted waiving formal bid procedure and authorizing purchase. (Finance to handle)

13A. Request of Laurence Martin that the City Council direct the Planning Director to appear before the Board of Supervisors at its evening meeting on June 16, 1981 to oppose the Swatman Cluster Housing Project immediately east of the Santa Fe tracks, north of Empire.

ACTION: Request withdrawn by Laurence Martin.

13B. Request by Pennie Hudson to transfer the permits for Modesto Cab Company to her. (An oral report will be made at the meeting.)

ACTION: Res. 81-505 adopted (Muratore/Siefkin, unan., Mayor Mensinger absent) authorizing a temporary, emergency transfer of the license, and setting hearing July 7, 1981, 4:00 p.m.

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

None

NEW BUSINESS

CONSENT

15. Consider amending Section 3-2.803 of Chapter 2 of Title III of the Modesto Municipal Code to allow motorized wheelchairs to be operated on city sidewalks. (The California Vehicle Code prohibits the use of motorized wheelchairs on city sidewalks unless a local ordinance is passed to allow for such use. The Handicapped Advisory Committee recommends such an ordinance be enacted. Motion introducing ordinance needed.)

ACTION: By motion, Ordinance No. 2048-C.S. introduced. (Clerk to handle)

CONSENT

16. Consider authorizing the execution of an indemnity and hold harmless agreement, and release, with the City of San Mateo for attendance of Modesto Police officers at the San Mateo Police Department motorcycle training course. (Memo with agenda. Resolution authorizing execution of hold harmless agreement needed.)

ACTION: Res. 81-506 adopted authorizing execution of hold harmless agreement. (Police to handle)

CONSENT

17. Consider setting Hearing of Necessity to acquire one avigation easement for Modesto City-County Airport/Harry Sham Field. (Staff made an offer to acquire the subject easement on March 10, 1981. Subsequent to this offer the Adkisons stated they would not sign the easement. Since the value involved is so low and the effect so minimal, further negotiations would not likely change the Adkisons attitude. The City must proceed with acquisition, however, to be in compliance with an earlier FAA grant. Resolution setting hearing on July 21, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-507 adopted setting hearing. (Clerk to handle)

CONSENT

18. Consider approving agreement with Edwin R. and Josephine A. Dias for acquisition of an avigation easement for the Modesto City-County Airport/Harry Sham Field. The Diases have agreed to sell the required avigation easement which contains 0.09± acre for \$800. This is consistent with the appraisal of this property. The easement is located off the end of Runway 28R. This is the fourth of five easements required for this project. Reso lution approving agreement needed. Estimated total cost: \$1,200 (\$800 cost; \$400 est. escrow); funds are budgeted.)

ACTION: Res. 81-508 adopted approving agreement. (P.W. to handle)

CONSENT

19. Consider approval of the final map of Hillsboro Heights subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Carrie Hill Freese and Transworld Financial Corp., Inc.
(The subdivision agreement has been signed and all fees paid. Hillsboro Heights is located north of Rumble Road and east of Prescott Road. It contains 6.108 acres. Resolution approving final map needed.)

ACTION: Res. 81-509 adopted approving final map.

(Clerk to handle)

CONSENT

20. Consider removal of attendant house from upper level of the City Hall parking deck. (Memo with agenda. All the parking spaces on the top deck are being sold for monthly reserved parking. There is no need for the house on the lot at this time. Motion approving removal of the attendant house needed. Estimated cost: \$50; funds are budgeted.)

ACTION: By motion, removal of attendant house approved.

(P.T. to handle)

CONSENT

21. Consider authorizing amendment to Community Development Block Grant application to permit expansion of boundaries of Housing Maintenance Program Target Area #3. (Modesto High School is no longer considering expansion into the areas bordered by Alturas, Paradise, Yosemite and Tuolumne and by Rosedale, Sierra, Roselawn and Tuolumne. These areas are surrounded by the existing target area and should be included. Recommended by the Citizens Housing and Community Development Committee. Resolution authorizing amendment to Community Development Block Grant application needed.)

ACTION: Res. 81-510 adopted authorizing amendment to grant application. (Planning to handle)

CONSENT

22. Recommendation for change in claims administrators in handling the City's Workers' Compensation Self Insurance Program. (Memo with agenda. A resolution approving agreement needed. Estimated cost: \$15,000; funds are budgeted.)

ACTION: Res. 81-511 adopted approving agreement.

(Mgmt. Services to handle)

CONSENT

23. Consider amending Municipal Code Chapter 6, Sewage Collection and Disposal, to provide for a "capacity charge" for industrial users.
(The Municipal Code provides that a permit must be issued to each industrial user connected to the municipal sewerage system. Among the items included in that permit is the establishment of the amount of discharge the industrial user may discharge into the sewer system. There is no minimum charge for the allocation of this capacity to the industrial user. Staff is proposing that whenever the flow from an industrial user falls below 80% of that flow authorized by the permit, the industrial user will pay a minimum charge based on 80% of the flow set forth in the permit and after two years of below minimum flow that the flow allocation be revised. Memo with agenda. Motion introducing ordinance needed.)

ACTION: By motion, Ord. No. 2049-C.S. introduced.

(Clerk to handle)

CONSENT

24. Consider abandonment of an aerial portion of the 16-foot public utilities easement in Block 68, City of Modesto.
(Memo with agenda. Resolution vacating and abandoning a portion of the easement needed.)

ACTION: Res. 81-512 adopted vacating and abandoning portion of easement. (P.W. to handle)

CONSENT

25. Consider addition of new streets to the Mandatory Sidewalk Program.
(The Mandatory Sidewalk Program began in 1966. It is oriented toward the completion of sidewalks along with curb primarily along major and collector streets serving schools. The schedule of streets included in the Mandatory Sidewalk Program approved by Council in May of 1976 is nearing completion. We now need to identify additional streets for the program. Memo with agenda. Resolution approving addition of new streets as recommended needed.)

ACTION: Res. 81-513 adopted approving addition of new streets.

(P.W. to handle)

CONSENT

26. Recommend to Council an amendment to Section 10-3-9 of the Zoning Map - U.S. ByProducts.
(On June 1, 1981, the Planning Commission adopted Resolution 81-141 recommending to the Council an amendment to Section 10-3-9 of the Zoning Map to rezone from a portion of P-D(211) to Planned Development Zone, P-D(308), property located on the southwest corner of Oakdale Road and Sylvan Avenue to allow a neighborhood shopping center. Resolution setting public hearing July 7, 1981, 4:00 p.m. needed.)

ACTION: Res. 81-514 adopted setting hearing.

(Clerk to handle)

CONSENT

27. Recommend to the City Council an amendment to Section 10-3-9 of the Zoning Map - Planning Commission initiated.
(On June 1, 1981, the Planning Commission adopted Resolution 81-140 recommending to the City Council an amendment to Section 10-3-9 of the Zoning Map to repeal P-D(150) and rezone to R-1, property located at the northwest corner of Oakdale Road and Sylvan Avenue. Resolution setting public hearing July 7, 1981, 4:00 p.m. needed.)

ACTION: Res. 81-515 adopted setting hearing. (Clerk to handle)

CONSENT

28. Recommend to Council an amendment to Section 28-3-9 of the Zoning Map - Blake Haston.
(On June 1, 1981, the Planning Commission adopted Resolution 81-139 recommending to the Council an amendment to Section 28-3-9 of the Zoning Map to rezone from R-3 to P-D(309) to allow a two-story business/professional office at 717 16th Street between G and H Streets. Resolution setting public hearing July 7, 1981, 4:00 p.m. needed.)

ACTION: Res. 81-516 adopted setting hearing. (Clerk to handle)

CONSENT

29. Recommend to Council an amendment to P-D(287) - Oakwood Builders.
(On June 1, 1981, the Planning Commission adopted Resolution 81-137 recommending to the Council an amendment to P-D(287) to allow the already approved office complex to be developed as office condominiums, property located at the southwest corner of Oakdale Road and E. Orangeburg Avenue. Resolution setting public hearing July 7, 1981, 4:00 p.m. needed.)

ACTION: Res. 81-517 adopted setting hearing. (Clerk to handle)

CONSENT

30. Recommend to Council an amendment to Section 21-3-9 - Gary Fant.
(On June 1, 1981, the Planning Commission adopted Resolution 81-136 recommending to the City Council an amendment to Section 21-3-9 of the Zoning Map to rezone from R-1 and R-2 to P-D(307) to allow a 52-unit one-story addition to the Melrose Manor residential care home, located at the southeast corner of Corson and Melrose. Resolution setting public hearing July 7, 1981, 4:00 p.m. needed.)

ACTION: Res. 81-518 adopted setting hearing. (Clerk to handle)

CONSENT

31. Consider Lone Palm No. 1 Governmental Reorganization to the City of Modesto.
(On May 20, 1981, LAFCO approved the Lone Palm No. 1 Governmental Reorganization to the City of Modesto. The governmental reorganization would include annexation to the City, detachment from the Woodland Fire District, and annexation to the Modesto Municipal Sewer District No. 1. LAFCO has authorized the Council to proceed without notice, hearing, or election. LAFCO resolution, EIR and maps with agenda. Resolution ordering the Lone Palm No. 1 Governmental Reorganization to the City of Modesto and certifying review of environmental impact needed.)

ACTION: Res. 81-519 adopted ordering Lone Palm No. 1 Governmental Reorganization.
(Planning to handle)

MISCELLANEOUS

CONSENT

32. Legislation: Staff recommends:

OPPOSING UNLESS AMENDED

a) AB 665 (Hughes), as amended, Housing: Multifamily rental: bonds

OPPOSING

b) AB 1771 (Goggin) Tear Gas and Tear Gas Weapons

SUPPORTING

c) AB 1169 (as amended, Martinez) Weapons: Handgun Safety

d) AB 2078 (Nolan) Reserve Peace Officer Training

e) SB 490 (Sieroty) Cigarette Taxes

(Memos and attachments with agenda. Motion approving recommendations needed.)

ACTION: By motion, recommendations approved.

33. Appointments

None

34.

MATTERS TOO LATE FOR THE AGENDA

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

None

35.

CLOSED SESSION

(Closed session to discuss an employee relations matter.)

ADJOURNMENT

The meeting adjourned at 4:40 p.m. to closed session to discuss an employee relations matter and did not return to open session.

ATTEST:



NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 23, 1981, AT 7:30 P.M.

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

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Rev. Benny Edwards, Secretary, Westside Ministerial Alliance

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 13, 14, 16, 17, 18, 19, 20,
21, 22, 23, 24, 25, 28, 29, 30, 31, 32, 33,
Dropped from agenda: 15, 35, 39 34, 36, 37, 38, 40, 41, 42, 43, 44,
45, 46

ACTION: Muratore/Elliott, 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 & PRESENTATIONS

A wedding gift was presented to Councilmember Patterson, the first Modesto City Councilmember to be married while in office.

MINUTES

CONSENT

2. Approval of the minutes of the June 16, 1981, regular City Council meeting.
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Final adoption of Ordinance 2043-C.S. rezoning from R-3 to P-D(298), property located on southwest corner of Coffee and Sylvan Avenue to allow a professional park including a financial institution (Robert Weeks.)
(Motion adopting needed.)

ACTION: By motion (Bright/Elliott, majority, Patterson and Siefkin-no, Mayor absent)
Ord. No. 2043-C.S. approved. (Clerk to handle)

CONSENT

4. Final adoption of:

- a. Ord. No. 2048-C.S. amending the Modesto Municipal Code to allow motorized wheelchairs on City sidewalks.
- b. Ord. No. 2049-C.S. amending the Modesto Municipal Code to provide for a "capacity charge" for industrial users of the sewage system.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

5. Hearing on appeal by Sanders Construction Co. concerning a decision of the Planning Commission regarding a P-D application, property located at the southeast corner of Floyd Avenue and Oakdale Road.

ACTION: By motion (Bright/Elliott, unan., Mayor Mensinger absent) Ord. No. 2050-C.S. introduced.

Res. 81-520 adopted (same vote) approving plan.

Res. 81-521 adopted (same vote) certifying review of environmental assessment.
(Clerk/Planning to handle)

6. Hearing on amendment to Section 26-3-9 of the Zoning Map to rezone from P-D(77) to R-1, property located on the west side of Capistrano Drive extended North of Yosemite Boulevard. (Planning Commission initiated) - Bright Construction.

ACTION: By motion (Muratore/Patterson, unan., Mayor Mensinger absent) Ord. No. 2051-C.S. introduced.

Res. 81-522 adopted (same vote) certifying review of environmental assessment.
(Clerk/Planning to handle)

7. Hearing on amendment to Section 13-3-8 of the Zoning Map to rezone from P-D(112) to R-1, property located at the southeast corner of Rumble Road and Conant Avenue. (Planning Commission initiated) - Bright Construction.

ACTION: By motion (Muratore/Bright, unan., Mayor Mensinger absent) Ord. No. 2052-C.S. introduced.

(same vote)
Res. 81-523 adopted/certifying review of environmental assessment.
(Clerk/Planning to handle)

8. Hearing on amendment to Section 10-3-9 of the Zoning Map to rezone from R-2 to P-D(305) to allow conversion of existing duplexes to condominiums, property located on the east side of Coffee Road north and south of Grand Prix Drive. (Stone Bros. and Associates)

ACTION: By motion (Muratore/Bright, majority, Patterson-no, Mayor Mensinger absent) Ord. No. 2053-C.S. introduced.

Res. 81-524 adopted (same vote) approving plan.

Res. 81-525 adopted (same vote) certifying review of environmental assessment.
(Clerk/Planning to handle)

9. Hearing on amendment to Section 19-3-9 of the Zoning Map to rezone from M-1 to P-D(304) to allow professional office condominium and bank site, property located on the southeast corner of Carpenter Road and Blue Gum Avenue. (Carpenter Road Associates)

ACTION: By motion (Muratore/Bright, unan., Mayor Mensinger absent) Ord. No. 2054-C.S. introduced.

Res. 81-526 adopted (same vote) approving plan.

Res. 81-527 adopted (same vote) certifying review of environmental assessment.
(Clerk/Planning to handle)

10. Continued hearing on appeal by GO Enterprises to a decision by the Board of Zoning Adjustment concerning a variance from Modesto Municipal Code Section 10-2.806 as it applies to a shopping center at 950 Oakdale Road.
(Continued from June 9, 1981, Council meeting.)

ACTION: By motion (Siefkin/Elliott, unan., Mayor Mensinger absent) hearing continued to July 21, 1981, 4:00 p.m. as requested by the appellant. (Clerk to handle)

11. Hearing on amendment to Section 23-3-9 of the Zoning Map to rezone from C-1 to P-D(306) to allow C-1 uses and two restaurants to have separate cocktail lounges and serve alcoholic beverages with or without sale of food, property located on the east side of Oakdale, south of Surrey Avenue. (GO Enterprises)

ACTION: By motion (Bright/Patterson, unan., Mayor Mensinger absent) Ord. No. 2055-C.S. introduced.

Res. 81-528 adopted (same vote) certifying review of environmental assessment.

By motion (same vote) development plan tentatively approved pending a decision on the wall and parking on July 21, 1981. (Clerk/Planning to handle)

12. Hearing on appeal by Anthony Mistlin, Mistlin Honda, to a decision of the Board of Zoning Adjustment regarding a front canopy extension.

ACTION: Res. 81-529 adopted (Muratore/Siefkin, majority, Lang-no, Mayor Mensinger absent) denying appeal. (Planning to handle)

CONSENT

13. Consider approval of plans and specifications and call for bids for McHenry Mansion Restoration, Phase 1.
 (The interior of the McHenry Mansion needs to be restored before the structure is acceptable for public use. Suggested bid opening: July 28, 1981 at 11:00 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$432,000 (Constr. \$410,000; Eng. \$22,000). Funds are budgeted.)

ACTION: Res. 81-530 adopted calling for bids. (P.W. to handle)

CONSENT

14. Consider approving plans and specifications and bid call for improving City Parking Lot 2, located on Ninth Street between I and J Streets.
 (Memo with agenda. Staff has completed plans and specifications to construct improvements to the parking lot. The lot is likely to be closed from August 10 to October 5, 1981. Resolution approving plans and specifications and calling for bids to be opened on July 28, 1981, at 2:00 p.m. needed. Estimated Cost: \$34,000. Funds are budgeted.)

ACTION: Res. 81-531 adopted calling for bids. (P.T. to handle)

CONSENT

15. Consider approving plans and specifications and call for bids for improving City Parking Lot #21, located on Eleventh and K Streets.
 (Memo with agenda. Staff has completed plans and specifications to construct improvements to the parking lot. The lot is likely to be closed from August 10 to October 5, 1981. Resolution approving plans and specifications and calling for bids to be opened July 28, 1981, at 2:05 p.m. needed, and resolution approving appropriation transfer needed. Estimated Cost: \$44,500. Funds are partially budgeted.)

Dropped from agenda.

CONSENT

16. Consider authorizing the purchase of liquid chlorine from the All Pure Chemical Company for the price of \$197 per ton for a period of one year.
 (Memorandum with agenda. Resolution authorizing the purchase needed. Estimated Cost: \$100,000. Funds are budgeted.)

ACTION: Res. 81-532 adopted authorizing purchase. (Finance to handle)

CONSENT

17. Award contract for restriping Standiford Avenue near Columbine Drive.
 (Memo with agenda. The lone bid of \$7,475 was 32% below the estimated cost. Resolution awarding contract needed. Estimated Cost: \$9,000. Funds are budgeted.)

ACTION: Res. 81-533 adopted awarding contract. (P.T. to handle)

CONSENT

18. Consider acceptance of Central Striping Services contract to refinish Downey-Davis Parks tennis courts as complete. (Original contract: \$13,219.20)
 (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: \$13,319.20. Funds are budgeted.)

ACTION: Res. 81-534 adopted accepting work as complete. (P.W. to handle)

CONSENT

19. Consider accepting 3 supersized bus patron shelters at 9th and I Streets. Memo with agenda. Ace Aluminum Company delivered the 3 shelters per the contract the City has with them.
(Resolution accepting the shelters needed. Estimated Cost: \$15,500. Funds are budgeted.)

ACTION: Res. 81-535 adopted accepting shelters. (P.T. to handle)

CONSENT

20. Consider award of contract for the installation of water automation instrumentation and control work.
(Bids were opened on June 16, 1981. Three bids were received. The low bid of \$77,900, submitted by Diablo Control Co. is 13% above the engineer's estimate. Staff has reviewed the bid and compared it with the other two bids received and consider it to reflect the true worth of the work and recommend award of contract to Diablo Control Co. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 81-536 adopted awarding contract. (P.W. to handle)

CONSENT

21. Consider award of contract for the resurfacing of City streets, Spring 1981.
(Bids were opened on June 16, 1981. The low bid of \$108,555, submitted by George Reed, Inc. is 29% 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 needed. Funds are budgeted.)

ACTION: Res. 81-537 adopted awarding contract. (P.W. to handle)

CONSENT

22. Consider award of contract for the reconstruction of Standiford Avenue at Hetch Hetchy right of way.
(Bids were opened on June 16, 1981. The low bid of \$83,591, submitted by The Flintkote Co. is 24% 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 needed. Funds are budgeted.)

ACTION: Res. 81-538 adopted awarding contract. (P.W. to handle)

CONSENT

23. Consider declaring Dow Hammond low bidder and authorize the purchase of one 3/4 ton pickup truck with crane from the firm for the total price of \$12,983.94.
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 81-539 adopted authorizing purchase. (Finance to handle)

CONSENT

24. Consider waiving formal bid procedures and authorize the purchase of \$11,075 worth of traffic signal parts from the Eagle Signal Company and \$7,391 worth of traffic signal parts from the Econolite Corporation.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. Funds are budgeted.) (Five affirmative votes needed.)

ACTION: Res. 81-540 adopted waiving formal bid procedures and authorizing purchase.

(Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

25. Request by William L. Swartz for permission to organize a temporary community garden, on the City property across I street from Ralston Towers, under the training and sponsorship of the University of California Agriculture Extension. (Motion referring to staff for recommendation needed.)

ACTION: By motion, request referred to staff for recommendation. (Manager to handle)

26. MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

27. Consider Condo Conversion Tenant Displacement policy. (Memo with agenda. Provides a plan to mitigate the inconvenience to renters displaced by condominium conversions. Resolution approving policy needed.)

ACTION: By motion (Elliott/Patterson, unan., Mayor Mensinger absent) report referred back to staff for further study and report back to Council on July 21, or 28, 1981. (Planning to handle)

CONSENT

28. Consider request by Driftwood Convalescent Hospital for refund of overpayment of mill tax - \$1,640.54. (Memo with agenda. Resolution approving refund of overpayment of mill tax needed.)

ACTION: Res. 81-541 adopted approving refund of overpayment of mill tax. (Finance to handle)

CONSENT

29. Consider awarding a contract to the firm of Boyle/Kilpatrick & Associates for continued transit advertising and promotion during fiscal year 1981-82. (Memo with agenda. The City-County Joint Transportation Committee has recommended that the \$30,000 contract be awarded to Boyle/Kilpatrick & Associates. Resolution awarding the contract needed. Funds are budgeted.)

ACTION: Res. 81-542 adopted awarding the contract. (P.T. to handle)

CONSENT

30. Consider excusing Mayor Mensinger for being absent from the June 16, 1981, City Council meeting due to her attendance at the U.S. Conference of Mayors' annual meeting. (Motion excusing the absence needed.)

ACTION: By motion, Mayor Mensinger excused from the June 16, 1981, meeting. (Clerk to handle)

CONSENT

31. Consider amendment to agreement to provide for increase in compensation to MacKay and Soms of \$22,382 for the design of the West Trunk Sewer Project.
(Additional work has been required to complete the engineering of the construction phase of the West Trunk Sewer Project. Memo with agenda. Resolution approving amendment to agreement needed. Funds are budgeted.)

ACTION: Res. 81-543 adopted approving agreement. (P.W./Finance to handle)

CONSENT

32. Consider formation of Sewer Improvement District No. 24.
(The Improvement District will provide sewer service to twelve island areas annexed to the City over the past three years. Memo with agenda. Motion authorizing City Attorney to arrange for Bond Counsel and motion authorizing preparation of boundary maps and other documents needed.)

ACTION: By motion, City Attorney authorized to arrange for Bond Counsel and preparation of boundary maps and other documents needed. (Atty./P.W. to handle)

CONSENT

33. Consider air service by Golden Gate Airlines at Modesto City-County Airport.
(Golden Gate Airlines has petitioned the Civil Aeronautics Board (CAB) to reduce air service to Modesto below the essential air service level established by CAB Order. Staff opposes this reduction and requests contact with our Congressional representatives opposing this action. Memo with agenda. Resolution opposing any reduction in air service below the essential air service ordered by the CAB and authorizing Mayor to contact Congressional representatives needed.)

ACTION: Res. 81-544 adopted opposing reduction in air service. (P.W. to handle)

CONSENT

34. Consider approval of appropriation transfer for Water Division of \$45,000.
(Water expenditures exceeded the estimates. Memo with agenda. Resolution approving appropriation transfer needed.)

ACTION: Res. 81-545 adopted approving appropriation transfer. (Finance to handle)

CONSENT

35. Consider approval of the final map of Fara Estates No. 2 subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Tax Strategy-Fara Estates.
(The subdivision agreement has been signed and all fees paid. Fara Estates No. 2 is located at the southeastern corner of Claus Road and East Orangeburg Avenue. It contains 7.268 acres. Resolution approving final map needed.)

Dropped from agenda.

CONSENT

36. Recommend to Council an amendment to the sign regulations.
(On June 15, 1981, the Planning Commission adopted Resolution 81-164 recommending to the City Council amendments, additions, and deletions to the sign regulations to provide for signs to be allowed on legal nonconforming uses and to provide for project signs to identify large residential developments in the R-1 zone. Resolution setting public hearing July 14, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-546 adopted setting hearing. (Clerk to handle)

CONSENT

37. Recommend to Council an amendment to P-D(148) - West Campus Business Center.
(On June 15, 1981, the Planning Commission adopted Resolution 81-161 recommending to the City Council an amendment to P-D(148) to allow the business park to be developed as condominiums, property located at the southwest corner of Carpenter and Blue Gum. Resolution setting public hearing July 14, 1981, 7:30 p.m. needed.)

ACTION: Res. 81-547 adopted setting hearing. (Clerk to handle)

CONSENT

38. Recommend to Council and amendment to Section 12-3-8 of the Zoning Map - Kelly Bros.
(On June 15, 1981, the Planning Commission adopted Resolution 81-159 recommending to the City Council an amendment to Section 12-3-8 of the Zoning Map to rezone from R-2 to P-D for construction of a two-story condominium, property located on the southwest corner of Standiford Avenue and Conant Avenue. Resolution setting public hearing July 14, 1981, 7:30 p.m. needed.)

ACTION: Res. 81-548 adopted setting hearing. (Clerk to handle)

CONSENT

39. Recommend to Council an amendment to P-D(188) - Oakhurst Development.
(On June 15, 1981, the Planning Commission adopted Resolution 81-157 recommending to the City Council an amendment to P-D(188) to allow construction of peripheral walls and fences to be 7 feet high instead of 8 feet, on the northwest corner of Snyder Avenue and Dale Road. Resolution setting public hearing July 14, 1981, 7:30 p.m. needed.)

Dropped from agenda.

CONSENT

40. Consider amending the Amended and Restated Credit Agreement with Crocker National Bank. (Housing Maintenance Program)
(Two revisions to agreement are 1) Increase the cumulative deposit of Community Development Block Grant funds with Crocker to \$1,996,000 (Increase of \$600,000) and 2) increase the bank loan commitment funds to \$4,870,000 (\$1,650,000 increase). This will enable Housing Maintenance Program to request draw down and funds from HUD. HUD requested we increase our draw down amount. Resolution approving amended credit agreement needed.)

ACTION: Res. 81-549 adopted approving amended agreement. (Planning to handle)

CONSENT

41. Consider amendment to agreement with Stanislaus County Central Communications Center to provide a change in the funding formula.
(Memorandum with agenda. Resolution approving amendment to agreement needed. Estimated cost: \$550,785; funds are budgeted.)

ACTION: Res. 81-550 adopted approving amendment to agreement. (Mgmt.Services to handle)

CONSENT

42. Establish Budget Reserves to comply with the provisions of Proposition 4, Sections 2 and 5.
(Memo with agenda. Resolution establishing reserves needed.)

ACTION: Res. 81-551 adopted establishing reserves. (Finance to handle)

CONSENT

43. Consider an agreement with Sports Score Company to provide golf score cards for the Nine-Hole and Dryden Municipal Golf Courses.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 81-552 adopted approving agreement. (P.R. to handle)

CONSENT

44. Consider adoption of 1981-82 fiscal year operating budget (including the first year of the Four-Year Capital Improvement Program) changing the distribution of sales tax revenue, approving Memoranda of Understanding, and making adjustments to implement new and existing Memoranda of Understanding.
(Memo with agenda. Adoption of an ordinance and nine resolutions needed.)

ACTION: By motion, Ord. No. 2056-C.S. introduced.
Res. 81-553 adopted establishing salary schedules and fixing compensation for positions
Res. 81-554 adopted establishing procedure for payment of uniform allowance for Police.
Res. 81-555 adopted directing the disposition of sales and use tax funds received.
Res. 81-556 adopted authorizing payment of certain group health and dental insurance premium rates.
Res. 81-557 adopted amending Res. No. 78-915 establishing mandatory deferred compensation plan for certain employees.
Res. 81-558 adopted approving memorandum of understanding with the City Employees Assn.
Res. 81-559 adopted approving memorandum of understanding with the Police Officers.
Res. 81-560 adopted approving agreement with Standard Insurance Company of Oregon.
Res. 81-561 adopted approving agreement with California Dental Services.
(Finance to handle)

CONSENT

45. Consider appropriation transfer from General Reserve to the McHenry Mansion Restoration budget account.
(The amount of \$432,813 is needed to cover the cost of the first phase of the McHenry Mansion Restoration Project. Resolution approving appropriation transfer needed. Funds are budgeted.)

ACTION: Res. 81-562 adopted approving appropriation transfer. (Finance to handle)

MISCELLANEOUS

CONSENT

46. Legislation: Staff recommends:

SUPPORTING

- a. AB 1361 (Martinez) Use of Radar on Local Streets
- b. AB 1795 (Baker) Precinct Publication

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

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

47. Appointments

None

48.

MATTERS TOO LATE FOR THE AGENDA

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

- a. Workers Compensation "Excess" Insurance

ACTION: Res. 81-563 adopted (Bright/Elliott, unan., Mayor Mensinger absent) approving insurance proposal submitted by Potomac Insurance Co. (Mgmt. Services to handle)

49.

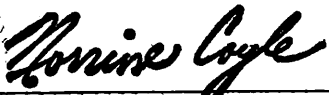
CLOSED SESSION

(Closed session to discuss property acquisition)

ADJOURNMENT

The meeting adjourned at 11:30 p.m. to closed session and did not return to open session.

ATTEST:



NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 7, 1981, AT 4:00 P.M.

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

Absent: Patterson, Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Rev. Carlton Wright, Westside Neighborhood Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 15, 16, 17, 18, 19, 20, 22, 23,
24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35,
Dropped from agenda: 36 37, 38, 39, 40, 41, 42, 43

ACTION: (Muratore/Elliott, unan., Patterson and Mayor Mensinger absent)

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

1. ACKNOWLEDGEMENTS

None

MINUTES

CONSENT

2. Approval of the minutes of the June 23, 1981, regular City Council meeting.
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Request by Dr. William L. Swartz for permission to organize a temporary community garden on City owned property.
(Memo with agenda. Motion approving of the concept and authorizing staff to prepare a lease needed.)

ACTION: By motion (Elliott/Siefkin, unan., Patterson and Mayor Mensinger absent) approving request and directing staff to prepare lease agreement. (Atty. to handle)

4. Final adoption of Ord. No. 2044-C.S., rezoning from R-1 and R-3 to P-0 property located at the northeast corner of Needham and Sycamore Avenues. (Racor Development) (Motion adopting needed.)

ACTION: By motion (Elliott/Bright, unan., Patterson and Mayor Mensinger absent)
Ord. No. 2044-C.S. adopted. (Clerk to handle)

5. Final adoption of Ord. No. 2053-C.S., rezoning from R-2 to P-D(305) to allow conversion of existing duplexes to condominiums, property located on the east side of Coffee Road, north and south of Grand Prix Drive. (Stone Bros. and Associates) (Motion adopting needed.)

ACTION: By motion (Muratore/Elliott, unan., Patterson and Mayor Mensinger absent)
Ord. No. 2053-C.S. adopted. (Clerk to handle)

CONSENT

6. Final adoption of:

- a. Ord. No. 2050-C.S. rezoning from R-1 to P-D(311) property located at the southeast corner of Floyd Avenue and Oakdale Road for a neighborhood commercial development with a financial institution. (Sanders Construction Company)
- b. Ord. No. 2051-C.S. rezoning from P-D(77) to R-1, property located on the west side of Capistrano Drive extended north of Yosemite Boulevard. (Planning Commission initiated)
- c. Ord. No. 2052-C.S. rezoning from P-D(112) to R-1 property located at the southeast corner of Rumble Road and Conant Avenue. (Planning Commission initiated)
- d. Ord. No. 2054-C.S. rezoning from M-1 to P-D(304) to allow professional office condominium and bank site, property located on the southeast corner of Carpenter Road and Blue Gum Avenue. (Carpenter Road Associates)
- e. Ord. No. 2055-C.S. rezoning from C-1 to P-D(306) to allow C-1 uses and two restaurants to have separate cocktail lounges, property located on the east side of Oakdale, south of Surrey Avenue. (GO Enterprises)

(Motion adopting needed.)

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

HEARINGS

7. Hearing on service reductions and fare increases on Intracity Transit and Dial-A-Ride.

ACTION: Res. 81-564 adopted (Muratore/Siefkin, unan., Patterson and Mayor Mensinger absent) establishing new rates for Intracity Transit.

By motion (same vote), Intracity Transit service reduction approved as recommended.
By motion (Muratore/Elliott, unan., Patterson, Mayor Mensinger absent) action on fares and service of Dial-A-Ride until after a workshop is held but not longer than 30 days.
(P.T. to handle)

8. Hearing on application by Charles Prentice to operate taxi cabs in Modesto.

ACTION: Res. 81-565 adopted (Bright/Siefkin, unan., Patterson and Mayor Mensinger absent) denying request to operate taxi cabs.

9. Hearing to consider transfer of permits to operate Modesto Cab Company from Otis Lee to Pennie Hudson.

ACTION: Res. 81-566 adopted (Elliott/Bright, unan., Patterson and Mayor Mensinger absent) transferring permits to operate Modesto Cab Company to Pennie Hudson.
(P.T. to handle)

10. Hearing on amendment to Section 10-3-9 of the Zoning Map to rezone from a portion of P-D(211) to Planned Development Zone, P-D(308), property located on the southwest corner of Oakdale Road and Sylvan Avenue to allow a neighborhood shopping center.
(U.S. ByProducts)

ACTION: By motion (Muratore/Elliott, unan., Patterson and Mayor Mensinger absent) Ord. No. 2057-C.S. introduced.

Res. 81-567 adopted (same vote) approving plan.

Res. 81-568 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

11. Hearing on amendment to Section 10-3-9 of the Zoning Map to repeal P-D(150) and rezone to R-1, property located at the northwest corner of Oakdale Road and Sylvan Avenue. (John Pallios and Jim Lamatis) (Planning Commission initiated)

ACTION: By motion (Elliott/Muratore, unan., Patterson and Mayor Mensinger absent) Ord. No. 2058-C.S. introduced.

Res. 81-569 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

12. Hearing on amendment to Section 28-3-9 of the Zoning Map to rezone from R-3 to P-D(309) to allow a two-story business/professional office at 717 16th street between G and H Streets. (Blake Haston)

ACTION: By motion (Muratore/Bright, unan., Patterson and Mayor Mensinger absent) Ord. No. 2059-C.S. introduced.

Res. 81-570 adopted (same vote) approving plan.

Res. 81-571 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

13. Hearing on amendment to P-D(287) to allow the already approved office complex to be developed as office condominiums, property located at the southwest corner of Oakdale Road and E. Orangeburg Avenue. (Oakwood Builders)

ACTION: By motion (Bright/Muratore, unan., Patterson and Mayor Mensinger absent) Ord. No. 2060-C.S. introduced.
(Clerk to handle)

14. Hearing on amendment to Section 21-3-9 of the Zoning Map to rezone from R-1 and R-2 to P-D(307) to allow a 52-unit one-story addition to the Melrose Manor residential care home, located at the southeast corner of Corson and Melrose.
(Gary Fant)

ACTION: By motion (Siefkin/Elliott, unan., Patterson and Mayor Mensinger absent)
Ord. No. 2061-C.S. introduced.

Res. 81-572 adopted approving plan.

Res. 81-573 adopted certifying review of Environmental Assessment.

(Clerk/Planning to handle)

BIDS

CONSENT

15. Consider award of contract for the replacement of apparatus doors at Fire Station No. 1.
(Bids were received on June 23, 1981. A bid of \$10,615, submitted by Valley Asbestos Company is 6.15% above the engineer's estimate. Staff has contacted other planholders and determined that the contractors' present workloads and bid date oversights were primary reasons for receiving only one bid. The bid received reflects the true worth of the work, and it is recommended that the contract be awarded to Valley Asbestos Company. Resolution awarding contract to Valley Asbestos Company needed. Estimated cost: \$13,000 (Contr. \$10,615; Eng. \$2,385); funds are budgeted.)

ACTION: Res. 81-574 adopted awarding contract.

(P.W. to handle)

CONSENT

16. Consider award of contract for the installation of irrigation system at Mancini Park.
(Bids were opened on June 23, 1981. The original engineer's estimate did not include profit and contingency of \$7,644, thus the engineer's estimate should have been \$44,045. The low bid of \$45,246, submitted by Grover Landscaping is 3% above the corrected engineer's estimate and considered acceptable. It is recommended by the Parks and Public Works Departments that the contract be awarded. Resolution awarding contract to Grover Landscaping, Inc. needed. Funds are budgeted.)

ACTION: Res. 81-575 adopted awarding contract.

(P.W. to handle)

CONSENT

17. Consider award of contract for the installation of play apparatus at Muncy Park.
(Bids were opened on June 23, 1981. The low bid of \$22,840, submitted by California Sports Construction is 1% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works and Parks Departments that the contract be awarded to them. Resolution awarding contract to California Sports Construction needed. Funds are budgeted.)

ACTION: Res. 81-576 adopted awarding contract.

(P.W. to handle)

CONSENT

18. Consider award of contract for the construction of bus fueling facility. (Bids were opened June 23, 1981. Three bids were received. The low bid of \$29,993.90, submitted by Roy Pippin, is 20% above the engineer's estimate. Staff has reviewed the bids received and feels that the low bid reflects the true value of the project. It is recommended by the Public Works Department that the contract be awarded to Roy Pippin Construction. Bid tabulation with agenda. Resolution awarding contract to Roy Pippin Construction needed, and resolution approving appropriation transfer needed. Estimated cost: \$35,993.90 (Contr. \$29,993.90; Eng. \$6,000).

ACTION: Res. 81-577 adopted awarding contract.
Res. 81-578 adopted approving appropriation transfer. (P.T./Finance to handle)

CONSENT

19. Consider authorizing the City Manager to sign landscape maintenance agreements with Devengenzo Gardening, Bibens Nursery, and Grover Landscaping. (Memorandum with agenda. Three resolutions approving landscape maintenance agreements needed. Estimated cost: \$70,044 ; funds are budgeted.)

ACTION: Res. 81-579 adopted approving agreement with Devengenzo Gardening.

Res. 81-580 adopted approving agreement with Bibens Nursery.
Res. 81-581 adopted approving agreement with Grover Landscaping.

(Finance/P.R. to handle)

CONSENT

20. Consider acceptance of Industrial Electrical's contract for street light modernization, 11th Street - "K" Street to Needham Street as complete. (Original contract: \$21,229.30)
(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: \$17,958.80; funds are budgeted.)

ACTION: Res. 81-582 adopted accepting work as complete. (Clerk to handle)

CONSENT

22. Consider declaring Pervo Paint Company lowest responsible bidder and authorize the purchase of the City's annual requirements of traffic line paint at the prices prices bid. (Memorandum with agenda. Resolution awarding bid needed. Estimated cost: \$38,500; funds are budgeted.)

ACTION: Res. 81-583 adopted awarding bid. (Finance to handle)

CONSENT

23. Consider award of contract for the construction of waterline extension in Kansas Avenue. (Bids were opened on June 30, 1981. The low bid of \$25,327, submitted by Mac's Backhoe Service 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. Resolution awarding contract to Mac's Backhoe Service needed. Funds are budgeted.)

ACTION: Res. 81-584 adopted awarding contract.

(P.W. to handle)

CONSENT

24. Consider award of contract for Sylvan Neighborhood Park training pool. (Bids were opened June 30, 1981, and the low bid of \$48,751, submitted by Ireland's Pools is 3% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works and Parks and Recreation Departments to award the contract to them. Resolution awarding contract to Ireland's Pools needed. Estimated cost: \$54,751 (\$48,751 Contr.; \$6,000); funds are budgeted.)

ACTION: Res. 81-585 adopted awarding contract.

(P.W. to handle)

WRITTEN COMMUNICATIONS

CONSENT

25. Request by Great Valley Bank that the City of Modesto abandon the alley between lots 1 and 17 in Block 2196, beginning at Yosemite Boulevard. (Motion referring to the Planning Commission needed.)

ACTION: By motion, request referred to Planning Commission.

(Planning to handle)

CONSENT

26. Appeal by Alfred and Emma Duran, Marcella Restaurant, to a decision of the Planning Commission concerning service of alcoholic beverages. (Resolution setting hearing August 4, 1981, 4:00 p.m. needed.)

ACTION: Res. 81-586 adopted setting hearing.

(Clerk to handle)

CONSENT

27. Appeal by Mid-Valley Engineering, representing Day-N-Nite Markets, to a Board of Zoning Adjustment decision denying application for H-1 use permit at Prescott and Budd. (Resolution setting hearing August 4, 1981, 4:00 p.m. needed.)

ACTION: Res. 81-587 adopted setting hearing.

(Clerk to handle)

CONSENT

28. Appeal by Joseph DiGiovanni to a Board of Zoning Adjustment decision regarding a variance for parking recreational vehicle and boat at 1101 Monte Cristo. (Resolution setting hearing August 4, 1981, 4:00 p.m. needed.)

ACTION: Res. 81-588 adopted setting hearing.

(Clerk to handle)

CONSENT

29. Request by Downtown Improvement District to hold a sidewalk sale on July 15 - 18, 1981.
(Motion approving needed.)

ACTION: By motion, request approved.

(Planning to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Al Tucker spoke of his interest in attending the Council meetings.

NEW BUSINESS

CONSENT

31. Consider amendment to resolution establishing uniform allowances for Community Service Officers.
(Memo with agenda. Adoption of resolution to amend resolution establishing uniform allowances needed. Estimated cost: \$2,280; funds are budgeted.)

ACTION: Res. 81-589 adopted amending resolution establishing uniform allowances.

(Police/Finance to handle)

CONSENT

32. Consider approval of the final map of Valencia Plaza No. 3 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 - Joaquin Construction Co.
(The subdivision agreement has been signed and all fees paid. Valencia Plaza No. 3 is located north of Penny Lane between Lincoln Avenue and Pirinen Lane. It contains 8.366 acres. Resolution approving final map needed.)

ACTION: Res. 81-590 adopted approving final map.

(Clerk to handle)

CONSENT

33. Consider approval of the final maps of Orchard Grove No. 1 through 8 subdivisions 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: Mt. Vernon Investment Group.
(The subdivision agreement has been signed and all fees paid. Orchard Grove No. 1 through 8 subdivisions are located north of Merle Avenue, about 3/4 mile east of Oakdale Road. They contain 18.288 acres. Eight resolutions approving eight final maps needed.)

ACTION: Res. 81-591 adopted approving final map of Orchard Grove No. 1
Res. 81-592 adopted approving final map of Orchard Grove No. 2
Res. 81-593 adopted approving final map of Orchard Grove No. 3
Res. 81-594 adopted approving final map of Orchard Grove No. 4
Res. 81-595 adopted approving final map of Orchard Grove No. 5
Res. 81-596 adopted approving final map of Orchard Grove No. 6
Res. 81-597 adopted approving final map of Orchard Grove No. 7
Res. 81-598 adopted approving final map of Orchard Grove No. 8

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(Clerk to handle)

CONSENT

34. Consider acceptance of improvements in Fara Estates subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Subdivider: Fara Associates.
(Fara Estates subdivision is located east of Claus Road and south of East Orangeburg Avenue. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Memo with agenda. Resolution accepting improvements as complete needed.)

ACTION: Res. 81-599 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

35. Consider filing a grant application with Caltrans for partial funding of the Downtown Transportation Center.
(Memo with agenda. The grant application would request \$500,000 from Caltrans to cover 25% of the estimated \$2 million for the land acquisition and construction of the Center. Resolution authorizing the filing of the grant application with Caltrans needed.)

ACTION: Res. 81-600 adopted authorizing the filing of the grant application. (P.T. to handle)

CONSENT

36. Consider approving a new agreement for continued operation of Lot 30, an increase from \$10 to \$20 for monthly parking on Lot 30, and changing Lot 4A from attendant operation to reserved operation.
(Memo with agenda. New agreement continues City operation of Lot 30 on 12th Street between J and K Streets essentially unchanged. The owner asked that the monthly parking fee be increased from \$10 to \$20 per month. Parking attendant Lot 4A is now all reserved parking. Resolution approving new agreement needed, and resolution changing the monthly parking fee and changing lot 4A from attendant operation to reserved operation needed.)

Dropped from agenda.

CONSENT

37. Consider approving agreement with Frances N. Parsons for the acquisition of 960± square feet of her property needed for the sidewalks - Sunrise-Lucern to Norwegian project.
(Ms. Parsons has agreed to sell the required right of way for the appraised value of \$2,915. This is the 10th of 11 parcels required for this phase of the project. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 81-601 adopted approving agreement. (P.W. to handle)

CONSENT

38. Consider Sunset Avenue Governmental Reorganization to the City of Modesto.
(On June 17, 1981, LAFCO approved the Sunset Avenue Governmental Reorganization consisting of vacant City-owned property on Sunset Avenue. The governmental reorganization would include annexation to the City, detachment from the Burbank-Paradise Fire District, and annexation to the Modesto Municipal Sewer District No. 1. LAFCO has authorized the Council to proceed without notice, hearing, or election. LAFCO resolution, EA and maps w/agenda. Resolution ordering the Sunset Avenue Governmental Reorganization to the City of Modesto and certifying review of environmental impact needed.)

ACTION: Res. 81-602 adopted ordering the Sunset Avenue Governmental Reorganization to the City of Modesto.
(Clerk/Planning to handle)

CONSENT

39. Consider the Legion Park No. 2 Governmental Reorganization to the City of Modesto.
(On June 17, 1981, LAFCO approved the Legion Park No. 2 Governmental Reorganization to the City of Modesto, consisting of land acquired for Tuolumne River Regional Park. The governmental reorganization would include annexation to the City, detachment from the Empire Fire District and annexation to the Modesto Municipal Sewer District No. 1. LAFCO has authorized the Council to proceed without notice, hearing, or election. LAFCO resolution, EA and maps with agenda. Resolution ordering the Legion Park No. 2 Governmental Reorganization to the City of Modesto and certifying review of environmental impact needed.)

ACTION: Res. 81-603 adopted ordering the Legion Park No. 2 Governmental Reorganization to the City of Modesto.
(Clerk/Planning to handle)

CONSENT

40. Set date for public hearing for Woodland-Bennett Annexation to the City of Modesto.
(On June 17, 1981, LAFCO approved this uninhabited annexation which was initiated by a petition of property owners. The proposed annexation totals 3.4 acres and consists of two medium-sized rural-residential properties with five single-family dwellings and a smaller property with a single-family dwelling.
Resolution initiating annexation proceedings and setting date for public hearing on August 4, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-604 adopted initiating annexation proceedings and setting date for hearing.
(Clerk to handle)

CONSENT

41. Consider setting date for public hearing on the design of the reconstruction of Scenic Drive between the County Hospital and Sonoma.
(The reconstruction of Scenic Drive is included in the Capital Improvement Program. It is a cooperative project with the County. The County is the lead agency. County has handled the environmental review processes, held numerous public hearings, and the project has been approved by the Board of Supervisors. Per the cooperative agreement with the County, the City must now act on approval of the design. Resolution setting public hearing July 21, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-605 adopted setting hearing.
(Clerk to handle)

CONSENT

- 42. Consider property insurance renewal.
(Memo with agenda. Resolution approving renewal of property insurance agreement with Industrial Indemnity Insurance Company. Estimated cost: \$14,620; funds are budgeted.)

ACTION: Res. 81-606 adopted approving agreement.

(Management Services to handle)

MISCELLANEOUS

CONSENT

- 43. Legislation: Staff recommends:

OPPOSING

- a) AB 1858 (Konnyu) Fee and Service Charge Bill.
- b) SB 1005 (Holmdahl) Fee and Service Charge Bill.
- c) AB 2099 (Roos) Housing: density bonuses: municipal reorganization.

SUPPORTING

- d) AB 69 (Tanner) California Hazardous Substance Safety Account.
- e) SB 121 (amended Craven) Bond Interest Rates: Local agencies.

(Motion approving staff recommendations needed.)

ACTION: By motion, recommendations approved.

(Management Services to handle)

44. Appointments

None

MATTERS TOO LATE FOR THE AGENDA

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

None

ADJOURNMENT

The meeting adjourned at 6:30 p.m.

ATTEST:

Norrine Coyle

NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 14, 1981, 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: Rev. Wayne Francis, Bethel Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 7, 8, 9, 10, 11, 14, 16, 17,
Dropped from agenda: 15 18, 19,

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 & PRESENTATIONS

Presentation by Vicki Fisher, President of Modesto Civic Theater.

Ms. Fisher introduced Modesto Civic Theater Board members and presented "Shakespeare in the Park" T shirts.

MINUTES

CONSENT

2. Approval of the minutes of the July 7, 1981, 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. 2057-C.S. rezoning from a portion of P-D(211) to P-D(308), property located on the southwest corner of Oakdale Road and Sylvan Avenue to allow a neighborhood shopping center. (U.S. ByProducts)

CONSENT

3. Final adoption of:

- b. Ord. No. 2058-C.S. repealing P-D(150) and rezoning to R-1 property located at the northwest corner of Oakdale Road and Sylvan Avenue. (John Pallios & Jim Lamatis) (Planning Commission initiated)
- c. Ord. No. 2059-C.S. rezoning from R-3 to P-D(309) to allow two-story business/professional office at 717 16th Street between G and H Streets. (Blake Haston)
- d. Ord. No. 2060-C.S. amending P-D(287) to allow already approved office complex to be developed as office condominiums, property located at the southwest corner of Oakdale Road and E. Orangeburg Avenue. (Oakwood Builders)
- e. Ord. No. 2061-C.S. rezoning from R-1 and R-2 to P-D(307) to allow a 52-unit one-story addition to the Melrose Manor residential care home located at the southeast corner of Corson and Melrose. (Gary Fant)

(Motion approving needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

4. Hearing on amendment to Section 12-3-8 of the Zoning Map to Rezone from R-2 to P-D for construction of a two-story condominium, property located on the southwest corner of Standiford Avenue and Conant Avenue. (Kelly Bros.)

ACTION: By motion (Muratore/Elliott, unan., Patterson absent) Ord. No. 2062-C.S. introduced.

Res. 81-607 adopted (same vote) approving plan.

Res. 81-608 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

5. Hearing on amendment to P-D(148) to allow the business park to be developed as condominiums, property located at the southwest corner of Carpenter and Blue Gum.
(West Campus Business Center)

ACTION: By motion (Lang/Elliott, unan., Patterson absent) Ord. No. 2063-C.S. introduced.

(Clerk to handle)

6. Hearing on amendments, additions, and deletions to the sign regulations to provide for signs to be allowed on legal nonconforming uses and to provide for project signs to identify large residential developments in the R-1 Zone.

ACTION: By motion (Muratore/Elliott, unan., Patterson absent) Ord. No. 2064-C.S. introduced.

(Clerk to handle)

BIDS

CONSENT

7. Consider acceptance of the contract of George Reed, Inc. for wheelchair ramps as complete. (Original contract: \$24,950)
(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: \$25,570; funds are budgeted.)

ACTION: Res. 81-609 adopted accepting work as complete. (Clerk to handle)

CONSENT

8. Consider acceptance of the contract of George Reed, Inc. for construction of wheelchair ramps at various City parks as complete. (Original contract: \$8,892)
(All work on this project has been completed to the satisfaction of the Public Works and Parks and Recreation 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: \$9,576; funds are budgeted.)

ACTION: Res. 81-610 adopted accepting work as complete. (Clerk to handle)

CONSENT

9. Consider acceptance of Bibens Nursery Company's contract for Muncy Park Landscaping and irrigation as complete. (Original contract: \$74,000)
(All work on this project has been completed to the satisfaction of the Public Works and Parks and Recreation 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: \$74,468.72; funds are budgeted.)

ACTION: Res. 81-611 adopted accepting work as complete. (Clerk to handle)

CONSENT

10. Consider acceptance of William M. Mineni's contract for construction of utility building at Sonoma Park as complete. (Original contract: \$68,600)
(All work on this project has been completed to the satisfaction of the Public Works and Parks and Recreation 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: \$68,511.40; funds are budgeted.)

ACTION: Res. 81-612 adopted accepting work as complete. (Clerk to handle)

CONSENT

11. Consider acceptance of Lee White Paving Company's contract for Standiford Avenue - MID Lateral #7 to Prescott as complete. (Original contract: \$22,464)
(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: \$24,241.72; funds are budgeted.)

ACTION: Res. 81-613 adopted accepting work as complete.

(Clerk to handle)

WRITTEN COMMUNICATIONS

12. Letter from Laurence Martin concerning Whitmore No. 3 annexation in South Modesto.

ACTION: Mr. Martin mentioned that the delay in establishing a tax allocation formula in connection with inhabited annexations is causing problems for his client. No Council action taken.

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

None

NEW BUSINESS

CONSENT

14. Consider DID request to delay 11th and K parking deck reconstruction.
(Memo with agenda. Request is to delay work until spring of 1982 to allow nearby businesses to recover from loss of business due to alley reconstruction. Motion approving request needed.)

ACTION: By motion, request approved.

(P.T. to handle)

CONSENT

15. Consider approval of the final map of the resubdivision of The Vineyard No. 1 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: Bright Development. (The subdivision agreement has been signed and all fees paid. Resubdivision of The Vineyard No. 1 is located on the north side of Standiford Avenue, east of Tidewater Southern Railroad tracks. It contains 15 acres. Resolution approving final map needed.)

Dropped from agenda.

CONSENT

16. Consider request for sewer service to property outside City limits at 430 Spruce Street, located on the north side of Spruce Street between Marshall Avenue and Franklin. Owner: Michael L. Chambers
(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. 81-614 adopted approving agreement.

(P.W. to handle)

CONSENT

17. Consider certifying to the Board of Supervisors of the County of Stanislaus the amount of money needed by the City of Modesto for the 1981-82 payment of principal and interest on bonds of the Modesto Municipal Sewer District No. 1.
(Memo with agenda. Resolution needed.)

ACTION: Res. 81-615 adopted certifying to the Board of Supervisors of the County of Stanislaus the amount of money needed by the City of Modesto.

(Finance to handle)

MISCELLANEOUS

Legislation

CONSENT

18. Consider supporting tax benefit legislation for individuals or organizations which install sprinkler systems.
(Memorandum with agenda. Motion supporting tax benefit legislation needed.)

ACTION: By motion, tax benefit legislation approved.

(Management Services to handle)

CONSENT

19. Staff recommends:

OPPOSING

- a) SB 799 (Mello) State Preemption of Local Ordinances Prohibiting Sale of Fireworks.
- b) AB 2218 (Roos) Local Agencies: permit approval process.

WITHDRAW OPPOSITION

- c) AB 1192 (Costa) California Debt Advisory Commission.

SUPPORTING

- d) SB 573 (Mills) Transportation.

(Memos and attachments with agenda needed. Motion approving 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 or staff.)

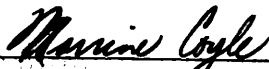
ACTION: Res. 81-616 adopted (Muratore/Siefkin, unan., Patterson absent) declaring a state of urgency, waiving formal bid procedures and awarding a contract to Morrow and Waggoner to complete the Commercial Alley Improvements, Phase 2 Project.
CLOSED SESSION (Public Works to handle)

22. Closed session to discuss property acquisition.

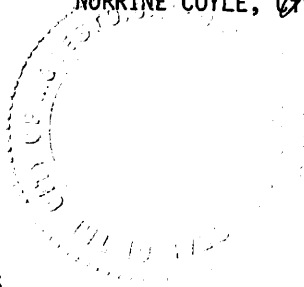
ADJOURNMENT

Council adjourned at 8:05 p.m. to closed session to discuss a property acquisition matter and an employee relations matter, and did not return to open session.

ATTEST:



NORRINE COYLE, City Clerk



MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 21, 1981, 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. Ira Pratt, South Modesto Assembly of God Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 11, 12, 13, 14, 15, 18, 19,
Removed from consent: 5, 7 20, 21, 22, 23, 24, 25, 26, 27

ACTION: Lang/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

Mayor Mensinger called attention to a merit award, displayed at the front of the Council Chambers, won in the California Affordable Housing Competition by the Modesto Community Housing Revitalization and Development Task Force for its "Solving the Housing Crisis; An All-American Approach."

MINUTES

CONSENT

2. Approval of the minutes of the July 14, 1981, regular City Council meeting.
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Consider staff report on request of John and Kristee Kearney to barricade Foy Avenue on Friday and Saturday nights. Referred to staff from meeting of June 2, 1981.
(Memo with agenda. Motion to either close Foy Avenue on Friday and Saturday nights or to deny request needed.)

ACTION: By motion (Lang/Siefkin, unan.) request denied.

4. Continued consideration of Condo Conversion Tenant Displacement Policy.
(Provides a plan to mitigate the inconvenience to renters displaced by condominium conversion. A response to the questions and concerns raised at the June 23, 1981, meeting is with the agenda. Resolution approving policy needed.)

ACTION: By motion (Elliott/Muratore, majority, Patterson, Siefkin, Mayor Mensinger - no) no action was taken on a policy at this time.

5. Up. date on mortgage revenue bond financing.
(Memo with agenda suggests the possibility of a fall 1981 issue; recommends that the City Council cancel the contract with Bache, Halsey, Stuart, Shields, Inc., and direct staff to continue working with Peer Wedvick of Shearson, Loeb, Rhoades, Inc., on a bond issue under the condition no additional costs are incurred. Resolution canceling contract with Bache, Halsey, Stuart, Shields, Inc., and motion directing staff to prepare agreement with Shearson, Loeb, Rhoades, Inc. needed.)

ACTION: Res. 81-617 adopted (Siefkin/Lang, majority, Muratore-no) contract with Bache, Halsey, Stuart, Shields, Inc., cancelled.

By motion, staff directed to prepare agreement with Shearson, Loeb, Rhoades, Inc.

(Planning to handle)

CONSENT

6. Final adoption of:

- a. Ord. No. 2062-C.S. rezoning from R-2 to P-D for construction of a two-story condominium property located on the southwest corner of Standiford and Conant Avenues. (Kelly Bros.)
- b. Ord. No. 2063-C.S. amending P-D(148) to allow the business park to be developed as condominiums, property located at the southwest corner of Carpenter and Blue Gum. (West Campus Business Center)
- c. Ordinance No. 2064-C.S. amending the sign regulations to provide for signs to be allowed on legal nonconforming uses and to allow project signs to identify large residential developments in the R-1 Zone.

(Motion adopting needed.)

ACTION: By motion, ordinances approved.

(Clerk to handle)

HEARINGS

7. Hearing of Necessity to acquire avigation easement from the Adkisons for Modesto City-County Airport.
(No written request to appear has been received.)

ACTION: Res. 81-618 adopted (Siefkin/Muratore, unan.) acquiring easement. (P.W. to handle)

8. Continued hearing on appeal by Setliff Bros. to a Board of Zoning Adjustment decision regarding a conditional use permit, property located at 7th Street and Tuolumne Boulevard.
(Continued from the June 16, 1981, Council meeting.)

ACTION: Res. 81-619 adopted (Muratore/Patterson, unan.) accepting Board of Zoning Adjustment recommendations except that construction of the wall could be delayed one year and the wording of condition 6 to be clarified.

Councilmember Muratore left the meeting at 7:25 p.m. (Planning to handle)

9. Continued hearing on appeal by GO Enterprises to a decision of the Board of Zoning Adjustment concerning a variance from Modesto Municipal Code Section 10-2.806, as it applies to a shopping center at 950 Oakdale Road.
(Continued from the June 23, 1981, Council meeting.)

ACTION: Res. 81-620 adopted (Siefkin/Elliott, unan., Muratore absent) upholding Board of Zoning Adjustment decision.

Res. 81-621 adopted (same vote) approving development plan. (Clerk to handle)

10. Hearing regarding the design of the reconstruction of Scenic Drive between the County Hospital and Sonoma Avenue.

ACTION: By motion (Lang/Elliott, unan., Muratore absent) the plan was adopted as submitted.
(P.W. to handle)

BIDS

CONSENT

11. Consider approving specifications and authorize call for bids to be opened on September 8, 1981, at 2:00 p.m. for furnishing one 1500 GPM fire pumper truck. (Memorandum with agenda. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$162,000; funds are budgeted.)

ACTION: Res. 81-622 adopted calling for bids. (Finance to handle)

CONSENT

12. Consider waiving formal bid procedures and authorizing the purchase of Johnson parts from Stanislaus Pump for the total amount of \$14,644.75. (Memorandum with agenda. Resolution waiving formal bids and authorizing purchase needed. Fire affirmative votes needed. Funds are budgeted.)

ACTION: Res. 81-623 adopted waiving formal bids & authorizing purchase. (Finance to handle)

CONSENT

13. Authorize issuing M.I.D. a purchase order in the amount of \$8,900 for repair of their facilities on the Commercial Alley Improvements - Phase 2 project. (During construction, the contractor damaged three vaults owned by M.I.D. Repairs need to be made prior to paving the alleys. The purchase order would provide for M.I.D. proceeding with the work now. Funds are available in the project account and will be deducted from money due the contractor. Memo with agenda. Resolution authorizing the issuance of a purchase order needed. Funds are budgeted.)

ACTION: Res. 81-624 adopted authorizing the issuance of a purchase order. (Finance/P.W. to handle)

CONSENT

14. Consider acceptance as complete, George Reed, Inc.'s contract for airport terminal access road and terminal transient parking apron expansion - Block 2300, Modesto City-County Airport/Harry Sham Field - FAA-ADAP #6-06-0153-08. (Original contract: \$194,932.10) (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: \$216,308.76. Funds are budgeted.)

ACTION: Res. 81-625 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

15. Request from Downtown Improvement District and Downtown Modesto Association to block off parking spaces on I Street from 11th to 12th and on 11th Street from I Street to the crosswalk on the Courthouse side of the street, and that there be no time limit for on-street parking on Friday, August 14, 1981, for the celebration of Modesto's 111th birthday. (Motion approving request needed.)

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

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

17. Consider amendment to Urban Trails Plan.
(On June 15, 1981, the Planning Commission adopted Resolution No. 81-154 recommending to the City Council an amendment to the Urban Trails Plan; eliminating the proposed signed route between Sherwood and the Briggsmore-McHenry intersection and beginning the westerly portion of this signed route at McHenry-Tokay and continuing to Bodega. Resolution accepting amendment to Urban Trails Plan needed. Estimated cost: \$450; funds are budgeted.)

ACTION: Res. 81-626 adopted (Elliott/Bright, unan., Muratore absent) accepting amendment to Urban Trails Plan. (Planning to handle)

CONSENT

18. Consider approving a new agreement for continued operation of Lot 30, an increase from \$10 to \$20 for monthly parking on Lot 30, and changing Parking Lot 4A from attendant operation to reserved operation.
(Memo with agenda. New agreement continues City operation of Lot 30 on 12th Street between J and K Streets essentially unchanged. The owner asked that the monthly parking fee be increased from \$10 to \$20 per month. Parking attendant Lot 4A is now all reserved parking. Resolution approving new agreement and resolution changing the monthly parking fee and changing Lot 4A from attendant operation to reserved operation needed.)

ACTION: Res. 81-627 adopted approving new agreement with John Griffin.
Res. 81-628 adopted changing monthly parking fee and changing Lot 4A from attendant operation to reserved operation. (P.T. to handle)

CONSENT

19. Bicycle trail right of way agreement with M.I.D.
(M.I.D. has prepared an agreement granting an easement for a City bicycle path along M.I.D. property paralleling the Tidewater Southern Railroad between Rumble and Woodrow. This segment of the trail is part of a continuous trail between Orangeburg and Standiford paralleling the Tidewater Southern Railroad. Resolution approving agreement needed. Estimated cost of trail to be constructed: \$10,000 (No cost for easement.); funds are budgeted.)

ACTION: Res. 81-629 adopted approving agreement. (Planning to handle)

CONSENT

20. Consider adding radar-enforceable speed limits on Kansas Avenue and Coffee Road.
(Memo with agenda. Radar-enforceable speed limits are proposed on Coffee between Sylvan and Mable (40 mph) and Kansas between Emerald and Carpenter (40 mph). Ordinance amending Municipal Code Section 3-2.1401.1 needed. Estimated cost: \$60; funds are budgeted.)

ACTION: By motion, Ord. No. 2065-C.S. introduced. (P.T. to handle)

CONSENT

21. Consider approval of the final map of Fara Estates No. 2 subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Tax Strategy Fara Estates. (The subdivision agreement has been signed and all fees paid. Fara Estates No. 2 is located at the southeast corner of Claus Road and East Orangeburg. It contains 7.268 acres. The P-D for this subdivision has expired and the developer is reapplying at the July 20, 1981, Planning Commission meeting. If a new P-D is not approved, this item will be dropped from the agenda. Resolution approving final map needed.)

ACTION: Res. 81-630 adopted approving final map of Fara Estates No. 2 Subdivision.
(Clerk to handle)

CONSENT

22. Consider amendments to Personnel Rule 11.1, Layoffs, and Personnel Rule 7.5(d) Temporary Employees, and (e) Part-Time Employees. (Memo with agenda. Resolution amending Personnel Rules needed.)

ACTION: Res. 81-631 adopted amending Personnel Rules. (Mgmt. Services to handle)

CONSENT

23. Consider amendments to Position Classification Plan and amendments to resolution establishing salary schedules to create Supervising Construction Inspector Class and revise Data Processing Supervisor Class to Data Processing Manager. (Memos with agenda. Resolution amending position classification plan needed, and resolution amending resolution which establishes salaries needed.)

ACTION: Res. 81-632 adopted amending position classification plan.
Res. 81-633 adopted amending resolution establishing salaries.
(Mgmt. Services to handle)

CONSENT

24. Consider authorizing payment of increased cost of relocation work performed by Tidewater Southern Railway Company. (Increased labor, equipment and material costs resulted in an overall increase in the cost of the railroad work performed at their Standiford Avenue crossing. Memo with agenda. Resolution authorizing payment of increased cost. Estimated cost: \$3,480.27; funds are budgeted.)

ACTION: Res. 81-634 adopted authorizing payment of increased cost. (P.W. to handle)

CONSENT

25. Hearing on the cost of construction of sidewalk, curb and/or gutter at the following locations:

- a. Curb and sidewalk along Corson Avenue at 201 Corson Avenue, Lot 9 of Block 655. (William H. Amend - \$880.00)

- b. Curb and sidewalk at 158 Corson Avenue, Portion of Block 651. (Denny Brooks - \$1,660.00)

- c. Curb along Sierra Drive at 816 Sierra Drive, portion of Block 627. (Victor M. Brown - \$600.00)

- d. Curb and sidewalk at 126 Corson Avenue, portion of Block 651. (Jon Camp - \$1,015.00)

- e. Curb and sidewalk along East Coolidge Avenue and Drake Avenue at 216 East Coolidge Avenue, a portion of Block 1193-A. (Central California Conference Association of the Seventh Day Adventist - \$1,927.00)

- f. Curb and sidewalk at 233 E. Orangeburg Avenue, a portion of Block 1193. (North Modesto Freewill Baptist Church - \$1,517.00)

- g. Curb and sidewalk along Amador Avenue at 1601 Spokane Avenue, Lot 1 in Block 9009. (Jesus Cisneros - \$2,180.00)

- h. Curb at 1515 Encina Avenue, a portion of Block 2168. (Victor H. Christensen - \$1,885.00)

- i. Curb and sidewalk at 216 Drake Avenue, a portion of Block 1193. (William H. Covey - \$900.00)
- j. Curb and sidewalk at 125 Hintze Avenue, a portion of Block 649. (Rose Geller - \$1,610.00)
- k. Curb and sidewalk at 3437 Scenic Drive, a portion of Block 1705. (Henry W. Harrison - \$3,180.00)
- l. Curb and sidewalk at 130 Corson Avenue, a portion of Block 651. (William H. Heagerty - \$955.00)
- m. Curb and sidewalk along Drake Avenue and East Coolidge Avenue, at 222 East Coolidge Avenue, a portion of Block 1193-A. (Clyde Holmes - \$1,792.00)
- n. Curb and sidewalk at 213 Corson Avenue, Lot 12 of Block 655. (Jones and Proctor - \$880.00)
- o. Curb and sidewalk at 215 Corson Avenue, Lot 13 of Block 655. (Mary L. Kuykendall - \$910.00)
- p. Curb and sidewalk along Hintze Avenue and curb along Ila Way at 835 Ila Way, Lots 1 and 2 of Block 621. (Augustine F. Lombardo - \$3,211.00)
- q. Curb and sidewalk at 221 Corson Avenue, Lot 14 of Block 655. (Gary R. Mendizza - \$910.00)

- r. Curb and sidewalk at 2113 Prescott Road, a portion of Block 6424.
(Andrew E. Perry - \$1,000.00)
- s. Curb and sidewalk at 1332 Sunrise Avenue, Lots 18 & 19 of Block 1140.
(Mike G. Stavrakakis - \$1,500.00)
- t. Sidewalk at 515 E. Orangeburg Avenue, a portion of Block 1189. (Stewart
and Stewart - \$1,495.00)
- u. Sidewalk along Trombetta Avenue and East Orangeburg Avenue at 218 E.
Orangeburg Avenue, a portion of Block 1135. (Jim D. Webb - \$855.00)
- v. Curb and sidewalk at 1305 Sunrise Avenue, a portion of Block 1139.
(Karl E. Wellman - \$1,144.00)
- w. Sidewalk along Sunrise Avenue at 1200 Sunrise Avenue, Lot 7 in Block
1122. (Robert D. Yucker - \$735.00)

(Work has been completed. Costs have been calculated. Resolution setting hearing on August 11, 1981, at 7:30 p.m. needed. Estimated contract costs listed with properties. Funds are budgeted.)

ACTION: Res. 81-635 adopted setting hearing.

(Clerk to handle)

CONSENT

- 26. Report by the Modesto Chamber of Commerce for the April-June 1981 quarter.
(Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

CONSENT

27. Legislation:

Staff recommends:

SUPPORTING

- a) SB 152 (amended Watson) Sales and Use Tax; Redevelopment Agencies
- b) H.R. 2957 (Stafford Amendment) Amends the Federal Water Pollution Control Act
- c) H.R. 3614 (Duncan) Mortgage Subsidy Bonds
- d) S. 43 (Sasser) State and Local Fiscal Note Act of 1981.

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

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

28. Appointments

None

29.

MATTERS TOO LATE FOR THE AGENDA

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

ACTION: Res. 81-636 adopted (Lang/Elliott, unan., Muratore absent) approving final map of Trianon Condominium Subdivision. (Clerk to handle)

ADJOURNMENT

The meeting adjourned at 8:25 p.m.

ATTEST:



NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 28, 1981, 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: Rev. Paul Kendall, North Modesto Church of God

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22

ACTION: Siefkin/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

None

MINUTES

CONSENT

2. Approval of the minutes of the July 21, 1981, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

UNFINISHED BUSINESS

CONSENT

3. Final adoption of Ordinance No. 2065-C.S. amending the Modesto Municipal Code Section relating to speed limits.
(Motion adopting needed.)

ACTION: By motion, ordinance 2065-C.S. adopted.

(Clerk to handle)

7/28/81

HEARINGS

4. Informal hearing regarding the use of special assessment bond financing.
(Laurence Martin has requested that this hearing be continued to October 6, 1981.)

ACTION: By motion (Lang/Elliott, unan.) hearing continued to October 6, 1981
(Clerk to handle)

BIDS

CONSENT

5. Consider approving the bidding documents and authorizing a call for bids on a new bus service agreement.
(Memo with agenda. The new agreement would cover the five-year period from 11/1/81 through 10/31/86. This continues the arrangement of having a private firm recruit, train, and supervise the bus driver, telephone operator/dispatcher and bus washing personnel for Intracity Transit. Resolution approving the bid documents and authorizing a call for bids on 9/15/81 at 10:00 a.m. needed. Estimated Cost: \$950,000/year. Funds are budgeted.)

ACTION: Res. 81-637 adopted calling for bids. (P.T. to handle)

CONSENT

6. Consider approving specifications and authorize call for bids to be opened August 18, 1981, at 2:00 p.m., for furnishing one traffic signal controller.
(Requested by the Public Works Electrical Division, the traffic signal controller will help ease the traffic congestion at Coffee and Scenic which is scheduled for widening in the near future. Two-thirds of the controller cost will be paid for by Stanislaus County. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$11,000. Funds are budgeted.)

ACTION: Res. 81-638 adopted calling for bids. (Finance to handle)

CONSENT

7. Consider approving specifications and authorize call for bids to be opened August 18, 1981, at 2:15 p.m., for furnishing one garden refuse packer truck.
(Requested by the Public Works Garden Refuse Division, the packer truck will be used along with a claw loader to collect garden refuse placed on City streets. Budgeted in the 1981/82 Capital Improvement Program, the truck will not replace any equipment presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$90,000. Funds are budgeted.)

ACTION: Res. 81-639 adopted calling for bids. (Finance to handle)

CONSENT

8. Consider approving specifications and authorize call for bids to be opened September 1, 1981, at 2:00 p.m., for furnishing one drill tower safety net.
(Requested by the Fire Department, the safety net will be placed below the drill tower at Fire Station #1. The net will serve as a safety device while the men are practicing building evacuation or rescue techniques. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$9,100. Funds are budgeted.)

ACTION: Res. 81-640 adopted calling for bids. (Finance to handle)

CONSENT

9. Consider waiving formal bid procedures and authorizing the purchase of one Model 500 claw bucket from Wastequip, Inc., for the total purchase price of \$7,975.80.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 81-641 adopted authorizing purchase. (Finance to handle)

CONSENT

10. Consider accepting site improvements at the Downtown Terminal as complete. (This contract provided for site improvements in preparation for installing bus patron shelters at Ninth and I Streets. Rolfe Construction has completed the work. Resolution accepting work as complete and authorizing City Clerk to file Notice of Completion needed. Estimated Cost: \$21,320. Funds are budgeted.)

ACTION: Res. 81-642 adopted accepting work as complete. (Clerk to handle)

CONSENT

11. Consider approval of plans and specifications and call for bids for waterline extension at Oakdale and Sylvan.
(Suggested bid opening: August 18, 1981, at 11:00 a.m. The extension of this main will provide water service and fire protection to Naraghi Lakes subdivision. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$147,662 (Constr. \$131,662; Eng. \$16,000); funds are budgeted.)

ACTION: Res. 81-643 adopted calling for bids. (P.W. to handle)

12.

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

None

NEW BUSINESS

CONSENT

13. Consider approving amendment to Jennie-Grand environmental study agreement. (Memo with agenda. Amendment breaks earlier City/State agreement into two phases per City Council decision on March 24, 1981. The two phases are Jennie/Grand and 14th/15th Streets. Resolution approving amendment to existing agreement needed.)

ACTION: Res. 81-644 adopted approving amendment to agreement. (P.T. to handle)

CONSENT

14. Consider request for water service to property outside City limits at 1613 Woodland Avenue, located on the north side of Woodland Avenue between Carpenter Road and Watts Avenue. Owners: Curtis C. and Mary L. Lemmons
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to City and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 81-645 adopted approving agreement.

(P.W. to handle)

CONSENT

15. Consider request for water service to property outside City limits at 1621 Woodland Avenue, located on the north side of Woodland Avenue between Carpenter Road and Watts Avenue. Owners: Estle F. and Edith E. Beard.
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to City and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 81-646 adopted approving agreement.

(P.W. to handle)

CONSENT

16. Consider acceptance of improvements in Modesto Las Casitas subdivision as complete and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Subdividers: Richard and Carol Marmon, George J. and Phyllis M. Rose, and Benjamin B. and Mavis M. Hurwitz
(Modesto Las Casitas subdivision is located on the south side of Fairmont Avenue, west of Coffee Road. 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. 81-647 adopted accepting improvements as complete.

(Clerk to handle)

CONSENT

17. Consider the Hatch Road No. 2 Governmental Reorganization to the City of Modesto. (On July 15, 1981, LAFCO approved the Hatch Road No. 2 Governmental Reorganization to the City of Modesto. The annexation consists of 12 acres of vacant agricultural land and a single-family dwelling located on the south side of West Hatch Road, west of Bret Harte School. The governmental reorganization would include annexation to the City, detachment from the Industrial Fire District, and annexation to the Modesto Municipal Sewer District No. 1. LAFCO has authorized the Council to proceed without notice, hearing, or election. Resolution, E.A. and maps with agenda. Resolution ordering the Hatch Road No. 2 Governmental Reorganization to the City of Modesto and certifying review of environmental impact needed.)

ACTION: Res. 81-648 adopted ordering the Hatch Road No. 2 Governmental Reorganization to the City of Modesto.

(Clerk/Planning to handle)

CONSENT

18. Consider Geer Road Landfill budget for fiscal year 1981-82.
(The County has completed preparation of the budget for 1981-82 for the Geer Road Landfill, and it would be appropriate for the Council to approve the budget as submitted. Memo with agenda. Resolution approving proposed budget needed.)

ACTION: Res. 81-649 approving proposed budget.

(Finance to handle)

CONSENT

19. Requirement for construction of curbs and/or sidewalks at the following locations:
(Informal requests were sent to the property owners over 30 days ago. As the work has not been done, it is recommend that a resolution be adopted instructing the Superintendent of Streets to give notices. Resolution setting hearing September 8, 1981, at 7:30 p.m. needed.)

- a) Sidewalk at 1540 Coffee Road, Lot 2 of Block 1212.
(Baggett & Baggett)

- b) Sidewalk at 1428 Coffee Road, a portion of Block 1179.
(Joe Castiglione)

- c) Sidewalk at 1534 Coffee Road, Lots 4 & 5 of Block 1212.
(Zula H. Jenkins)

- d) Sidewalk at 1437 Rose Avenue, Lot 14 of Block 1171.
(Philip Emery)

- e) Sidewalk along Coffee Road at 1304 E. Coolidge Avenue, a portion of Block 1179.
(Vernal P. Thomas)

- f) Curb and sidewalk at 224 Drake Avenue, a portion of Block 1193.
(Ira Chambers)

- g) Sidewalk at 160 Drake Avenue, a portion of Block 1193.
(Raymond McNally)

- h) Sidewalk at 114 Drake Avenue, a portion of Block 1192.
(Leon R. Sharp)

- i) Sidewalk at 126 Drake Avenue, a portion of Block 1192.
(Talkington, Hanson, Talkington, Smith)

- j) Sidewalk at 140 Drake Avenue, a portion of Block 1192.
(Cora E. Wilson)

- k) Sidewalk along Drake Avenue at 1432 McHenry Avenue, a portion of Block 1192.
(Julius M. Ward)

- l) Sidewalk along Standiford Avenue at 500 Standiford Avenue, a portion of Block 13017 (Velton D. Rogers)

- m) Curb and sidewalk at 424 Standiford Avenue, a portion of Block 13042.
(Wendell L. Young)

n) Curb and sidewalk at 810 Standiford Avenue, a portion of Block 13112.
(L. R. Van Horn, Jr.)

ACTION: Res. 81-650 adopted setting hearing.

(Clerk to handle)

CONSENT

20. Distribution of property tax revenues between City of Modesto and Stanislaus County for five proposed annexations.
(Memorandum with agenda. Resolution approving the negotiated exchange of property taxes with Stanislaus County for certain pending annexations needed.)

ACTION: Res. 81-651 adopted approving the negotiated exchange of property taxes with Stanislaus County for certain pending annexations. (Finance to handle)

CONSENT

21. Recommend to Council amendments to the Standard Specifications.
(On July 6, 1981, the Planning Commission adopted Resolution 81-174 recommending to the City Council extensive amendments to update the Standard Specifications. Resolution 81-174 and Summary with agenda. Resolution amending Standard Specifications needed.)

ACTION: Res. 81-652 adopted amending Standard Specifications. (P.W. to handle)

MISCELLANEOUS

CONSENT

22. Legislation:

Staff recommends:

Opposing

a) AB 1759 (amended Chacon) Subdivision Map Act: exemptions

Supporting

b) H.R. 4182 (Mineta) Airport Funds Bill

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

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

23. Appointments

None

24. MATTERS TOO LATE FOR THE AGENDA.

(These may be presented by members of the City Council and staff)
Councilmember Siefkin asked for information from the City Attorney about the Court decision on billboards.

ADJOURNMENT

The meeting adjourned at 7:36 p.m.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 4, 1981, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Muratore, Patterson,
Siefkin, Acting Mayor Lang
Councilmember Patterson arrived at 4:23 p.m.
Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Rev. Jack Mackey, Richland Heights Assembly of God

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 10, 11, 12, 13, 15, 16, 17, 18,
19, 20, 21, 22, 23, 24, 25

ACTION: Muratore/Bright, unan., Councilmember Patterson and Mayor Mensinger absent

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

1. ACKNOWLEDGEMENTS

None

MINUTES

CONSENT

2. Approval of the minutes of the July 28, 1981, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Response from participants in Transit Workshop concerning transit fares and other issues.
(Motion referring to City-County Transportation Committee needed.)

ACTION: By motion, response referred to City-County Transportation Committee. (P.T. to handle)

By unanimous consent, items 7, 8 and 9, considered before items 4,5 and 6.

HEARINGS

4. Hearing on appeal by Alfred and Emma Duran, Marcella Restaurant, to a decision of the Planning Commission concerning service of alcoholic beverages.

ACTION: A motion to grant the appeal resulted in a tie vote.

By motion (Siefkin/Patterson, unan.) the hearing was reopened and continued to August 18, 1981, 4:00 p.m. (Clerk to handle)

5. Hearing on appeal by Mid-Valley Engineering, representing Day-N-Nite Markets, to a Board of Zoning Adjustment decision denying application for an H-1 use permit at Prescott and Budd.

Councilmember Muratore excused due to a conflict of interest.

ACTION: Res. 81-653 adopted (Siefkin/Patterson, unan., Muratore and Mayor Mensinger absent denying appeal.

6. Hearing on appeal by Joseph DiGiovanni to a Board of Zoning Adjustment decision regarding a variance for parking recreational vehicle and boat at 1101 Monte Cristo.

ACTION: Res. 81-654 adopted (Siefkin/Bright, majority, Patterson - no, Mayor Mensinger absent) denying appeal.

7. Hearing on Woodland-Bennett Annexation to the City of Modesto.

ACTION: Res. 81-655 adopted (Siefkin/Bright, unan., Patterson and Mayor Mensinger absent) annexing Woodland-Bennett to the City of Modesto.

(Clerk/Planning to handle)

8. Hearing on amendment to Section 19-3-10 of the Zoning Map to rezone from R-1 to P-D(312) property located on the south side of Parker Road east of Claus to allow a 60-unit townhouse condominium project. (Parker Road Ranches)

ACTION: By motion (Muratore/Bright, unan., Patterson and Mayor Mensinger absent) Ord. No. 2066-C.S. introduced.

Res. 81-656 adopted (same vote) approving plan. (Clerk/Planning to handle)

Res. 81-657 adopted (same vote) certifying review of Environmental Assessment.

9. Hearing on amendment to Section 23-3-9 of the Zoning Map to rezone from R-1 to P-D(313) property located on the north side of E. Orangeburg east of Oakdale Road to allow a 6,000 square foot one-story professional office building. (Sonoma Glen Investment Group - KFIV)

ACTION: By motion (Elliott/Bright, unan., Patterson and Mayor Mensinger absent) Ord. No. 2067-C.S. introduced.

Res. 81-658 adopted (same vote) approving plan.

Res. 81-659 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

BIDS

CONSENT

10. Consider approval of plans and specifications and call for bids for Downtown alley reconstruction - Phase 3.
(Suggested bid opening: August 18, 1981, at 11:05 a.m. This is an annually budgeted project. The cost is shared between the Downtown Improvement District, City and property owner. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$130,015.93 (Contract \$118,196.30; Engineering \$11,819.63); funds are budgeted. Memo with agenda.)

ACTION: Res. 81-660 adopted calling for bids. (P.W. to handle)

CONSENT

11. Consider award of contract for McHenry Mansion restoration, Phase 1.
(Bids were opened July 28, 1981, and the low bid of \$395,600, submitted by Wilco Construction, is 3.5% below the engineer's estimate and is considered acceptable. It is therefore recommended by the Parks and Recreation Department and Public Works Department that the contract be awarded to them. Resolution awarding contract to Wilco Construction needed. Estimated cost: \$417,600 (Contract \$395,600; Eng. & Contg. \$22,000); funds are budgeted.)

ACTION: Res. 81-661 adopted awarding contract. (P.W. to handle)

CONSENT

12. Consider awarding contracts for improvements to Parking Lot No. 2 on Ninth Street between I and J Streets.
(Memo with agenda. Bids were opened on July 28, 1981, and exceed budgeted funds. The City Council would have to provide the needed funds from reserves and award two contracts in order to improve the parking lot. Resolution approving appropriation transfer and two resolutions awarding contracts to Lee White Paving and to George Reed, Inc. needed. Estimated cost: \$51,877; funds are partially budgeted.)

ACTION: Res. 81-662 adopted approving appropriation transfer.

Res. 81-663 adopted awarding contract to Lee White Paving for on-site improvements.
Res. 81-664 adopted awarding contract to George Reed Co. for off-site improvements.

WRITTEN COMMUNICATIONS

(P.T. to handle)

CONSENT

13. Consider letters from DID and DMA regarding parking space markings.
(Memo with agenda. Painting over the red curb markings and allowing the on-street parallel parking stall markings to wear out are recommended. Motion approving recommendation needed. Estimated cost: \$300; funds are budgeted.)

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

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

None

NEW BUSINESS

CONSENT

15. Preparation of master plan for Tuolumne River Regional Park.
(The Tuolumne River Regional Park Committee is recommending the hiring of an architect to master plan the south bank of the Tuolumne River between Carpenter Road and 99th Freeway, and to review the area between Conejo and the Yacht Club to include the American Legion Hall. Cost: \$1,800. Memo from the Tuolumne River Regional Park Chairman with the agenda. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 81-665 adopted approving agreement. (P.W. to handle)

CONSENT

16. Consider approving non-financial agreement for work experience worksite for wastewater treatment plant trainees.
(Memo with agenda. Resolution approving non-financial agreement for work experience with REMCON needed.)

ACTION: Res. 81-666 adopted approving agreement. (Mgmt. Services to handle)

CONSENT

17. Consider approving lease agreement with Richard D. and Joanne Hyman for a lot located on West Hatch Road. The lot is to be part of Tuolumne River Regional Park.
(The Hymans have agreed to rent the lot, which is next to their house and cannot be used for anything, for a rental of \$1.00 per year, maintenance of the lot, and payment of taxes. This will save the City time and money. Resolution approving agreement needed.)

ACTION: Res. 81-667 adopted approving agreement. (P.R. to handle)

CONSENT

18. Public Projects Committee recommendations on School Site and Facilities Tax.
(The committee specifically requests Council authorization for an appraisal of the Washington School site and five other surrounding parcels for possible expansion of Modesto High School. Resolution approving an agreement with Robert L. Crisp for appraisal services needed. Estimated cost: \$7,500; funds are budgeted.)

ACTION: Res. 81-668 adopted approving agreement. (Planning to handle)

CONSENT

19. Consider acceptance of improvements in Mountain Home Estates subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Subdividers: J & K Development Company)
(Mountain Home Estates subdivision is located west of Crows Landing Road and south of Imperial 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. 81-669 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

20. Resolution approving application for funds under the Federal Land and Water Conservation Fund Program for the development of soccer field and park in the Fairway neighborhood. (Competitive grants are available through this funding program for municipal parks with a 50% match. As the soccer field and park in Fairway neighborhood meets the criteria, staff recommends application of \$129,500 for grading, drainage, paths and landscaping. Resolution authorizing filing of an application needed. Estimated cost: \$259,000; funds are budgeted.)

ACTION: Res. 81-670 adopted authorizing filing of an application. (P.R. to handle)

CONSENT

21. Consider property insurance renewal.
(Memo with agenda. Resolution approving property insurance renewal with the Firemens Fund Insurance Company needed.)

ACTION: Res. 81-671 adopted approving property insurance renewal. (Mgmt. Services to handle)

CONSENT

22. Consider adoption of "Airport Way" as the official name for the new airport access road which extends south from Tenaya Drive west of Mitchell Road.
(At its meeting of June 18, 1981, the Airport Advisory Committee recommended that this name be adopted. Memo with agenda. Resolution adopting street name and authorizing Parking and Traffic Department to construct appropriate street name signs needed. Estimated cost for two signs: \$180; funds are budgeted.)

ACTION: Res. 81-672 adopted, making "Airport Way" official name of new airport access road.
(Planning/P.T. to handle)

CONSENT

23. Consider increasing the Petty Cash Revolving Fund by \$185 and authorize the transfer of \$185 from the General Fund (01) to the Petty Cash Revolving Fund (02).
(Memorandum with agenda. Resolution increasing the Petty Cash Revolving Fund and authorizing transfer of funds needed.)

ACTION: Res. 81-673 adopted increasing Petty Cash Revolving Fund & authorizing transfer of funds. (Finance to handle)

CONSENT

24. Initiation of Haddon-El Vista Annexation proposal.
(Property owners in the Haddon-El Vista area have requested annexation to the City of Modesto. The most expedient method of initiating this annexation would be for the Council to adopt a resolution of application to LAFCO. The City and County have reached agreement on distribution of property taxes for this area. Memo, map, and plan for services with agenda. Resolution initiating annexation proceedings and adopting plan for services needed.)

ACTION: Res. 81-674 adopted initiating annexation proceedings. (Planning to handle)

CONSENT

25. Consider approval of the final map of Vintage Grove Condominiums of the City of Modesto. Subdividers: Oakhurst Development Company
(The public improvements are completed and all fees paid. Vintage Grove Condominiums is an apartment conversion and is located between Snyder Avenue and Pelandale Avenue east of and adjacent to Honey Creek Road. Resolution approving final map needed.)

ACTION: Res. 81-675 adopted approving final map. (Clerk to handle)

MISCELLANEOUS

26. Appointments

None

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

None

ADJOURNMENT

The meeting adjourned at 5:55 p.m.

ATTEST:



NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 11, 1981, 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: Rev. Phil Zimmerman, Big Valley Grace Community Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 7, 8, 9, 10, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26

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

None

MINUTES

CONSENT

2. Approval of the minutes of the August 4, 1981, regular City Council meeting.
(Motion approving needed.)

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

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:
- Ord. No. 2066-C.S. rezoning from R-1 to P-D(312), property located on the south side of Parker Road east of Claus for a 60-unit townhouse condo project (Parker Road Ranches).
 - Ord. No. 2067-C.S. rezoning from R-1 to P-D(313), property located on the north side of E. Orangeburg east of Oakdale Rd. for a one-story professional office building (Sonoma Glen Investment Group-KFIV).

(Motion adopting needed.)

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

HEARINGS

4. Hearing on the cost of construction of sidewalk, curb and/or gutter at the following locations:

- a. Curb and sidewalk along Corson Avenue at 201 Corson Avenue, Lot 9 of Block 655. (William H. Amend - \$880.00)
(Payment over 10 years, \$88 per year recommended.)

ACTION: Res. 81-676 adopted (Muratore/Lang, unan.) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Clerk/Finance to handle)

- b. Curb and sidewalk at 158 Corson Avenue, Portion of Block 651. (Denny Brooks - \$1,660.00)
(Payment over 10 years, \$166 per year recommended.)

ACTION: Res. 81-677 adopted (Muratore/Lang, unan.) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Clerk/Finance to handle)

- c. Curb along Sierra Drive at 816 Sierra Drive, portion of Block 627. (Victor M. Brown - \$610.00)
(Payment over 10 years, \$61 per year recommended.)

ACTION: Res. 81-678 adopted (Muratore/Lang, unan.) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Clerk/Finance to handle)

- d. Curb and sidewalk at 126 Corson Avenue, portion of Block 651. (Jon Camp - \$1,015.00)

ACTION: Res. 81-679 adopted (Muratore/Lang, unan.) confirming report, assessing costs, and directing method of collection. (Clerk/Finance to handle)

- e. Curb and sidewalk along East Coolidge Avenue and Drake Avenue at 216 East Coolidge Avenue, a portion of Block 1193-A. (Central California Conference Association of the Seventh Day Adventist - \$1,927.00)
(Payment over 10 years, \$192.70 per year recommended.)

ACTION: Res. 81-680 adopted (Muratore/Lang, unan.) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Clerk/Finance to handle)

- f. Curb and sidewalk at 233 E. Orangeburg Avenue, a portion of Block 1193. (North Modesto Freewill Baptist Church - \$1,517.00)

ACTION: Res. 81-681 adopted (Muratore/Lang, unan.) confirming report, assessing costs, and directing method of collection. (Clerk/Finance to handle)

- g. Curb and sidewalk along Amador Avenue at 1601 Spokane Avenue, Lot 1 in Block 9009. (Jesus Cisneros - \$2,180.00)
(Payment over 10 years, \$218 per year recommended.)

ACTION: Res. 81-682 adopted (Muratore/Lang, unan.) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Clerk/Finance to handle)

- h. Curb at 1515 Encina Avenue, a portion of Block 2168. (Victor H. Christensen - \$1,885.00)
(Payment over 10 years, \$188.50 per year recommended.)

ACTION: By motion (Muratore/Lang, unan.) this item was continued to September 1, 1981, 4:00 p.m. (Clerk to handle)

- i. Curb and sidewalk at 216 Drake Avenue, a portion of Block 1193. (William H. Covey - \$906.00)
(Payment over 10 years, \$90.60 per year recommended.)
- ACTION:** Res. 81-683 adopted (Muratore/Lang, unan.) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Clerk/Finance to handle)
- j. Curb and sidewalk at 125 Hintze Avenue, a portion of Block 649. (Rose Geller - \$1,610.00)
(Payment over 10 years, \$161 per year recommended.)
- ACTION:** Res. 81-684 adopted (Muratore/Lang, unan.) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Clerk/Finance to handle)
- k. Curb and sidewalk at 3437 Scenic Drive, a portion of Block 1705. (Henry W. Harrison - \$3,180.00)
(Payment over 10 years, \$318 per year recommended.)
- ACTION:** Res. 81-685 adopted (Muratore/Lang, unan.) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Clerk/Finance to handle)
- l. Curb and sidewalk at 130 Corson Avenue, a portion of Block 651. (William H. Heagerty - \$955.00)
(Payment over 10 years, \$95.50 per year recommended.)
- ACTION:** Res. 81-686 adopted (Muratore/Lang, unan.) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Clerk/Finance to handle)
- m. Curb and sidewalk along Drake Avenue and East Coolidge Avenue, at 222 East Coolidge Avenue, a portion of Block 1193-A. (Clyde Holmes - \$1,802.00)
(Payment over 10 years, \$182.00 per year recommended.)
- ACTION:** Res. 81-687 adopted (Muratore/Lang, unan.) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Clerk/Finance to handle)
- n. Curb and sidewalk at 213 Corson Avenue, Lot 12 of Block 655. (Jones and Proctor - \$880.00)
(Payment over 10 years, \$88 per year recommended.)
- ACTION:** Res. 81-688 adopted (Muratore/Lang, unan.) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Clerk/Finance to handle)
- o. Curb and sidewalk at 215 Corson Avenue, Lot 13 of Block 655. (Mary L. Kuykendall - \$910.00)
(Payment over 10 years, \$91 per year recommended.)
- ACTION:** Res. 81-689 adopted (Muratore/Lang, unan.) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Clerk/Finance to handle)
- p. Curb and sidewalk along Hintze Avenue and curb along Ila Way at 835 Ila Way, Lots 1 and 2 of Block 621. (Augustine F. Lombardo - \$3,221.00)
(Payment over 10 years, \$322.10 per year recommended.)
- ACTION:** Res. 81-690 adopted (Muratore/Lang, unan.) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Clerk/Finance to handle)
- q. Curb and sidewalk at 221 Corson Avenue, Lot 14 of Block 655. (Gary R. Mendizza - \$910.00)
(Payment over 10 years, \$91 per year recommended.)
- ACTION:** Res. 81-691 adopted (Muratore/Lang, unan.) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Clerk/Finance to handle)

r. Curb and sidewalk at 2113 Prescott Road, a portion of Block 6424.
(Andrew E. Perry - \$1,010.00)

ACTION: Res. 81-692 adopted (Muratore/Lang, unan.) confirming report, assessing costs,
and directing method of collection. (Clerk/Finance to handle)

s. Curb and sidewalk at 1332 Sunrise Avenue, Lots 18 & 19 of Block 1140.
(Mike G. Stavrakakis - \$1,500.00)

ACTION: By motion (Muratore/Lang, unan.) this item continued to September 1, 1981,
4:00 p.m. (Clerk to handle)

t. Sidewalk at 515 E. Orangeburg Avenue, a portion of Block 1189. (Stewart
and Stewart - \$1,505.00)

ACTION: Res. 81-693 adopted (Muratore/Lang, unan.) confirming report, assessing costs,
and directing method of collection. (Clerk/Finance to handle)

u. Sidewalk along Trombetta Avenue and East Orangeburg Avenue at 218 E.
Orangeburg Avenue, a portion of Block 1135. (Jim D. Webb - \$855.00)
(Payment over 10 years, \$85.50 per year recommended.)

ACTION: Res. 81-694 adopted (Muratore/Lang, unan.) confirming report, assessing costs, and
directing method of collection over a period of 10 years. (Clerk/Finance to handle)

v. Curb and sidewalk at 1305 Sunrise Avenue, a portion of Block 1139.
(Karl E. Wellman - \$1,154.00)

ACTION: Res. 81-695 adopted (Muratore/Lang, unan.) confirming report, assessing costs,
and directing method of collection. (Clerk/Finance to handle)

w. Sidewalk along Sunrise Avenue at 1200 Sunrise Avenue, Lot 7 in Block
1122. (Robert D. Yucker - \$735.00)

Paid - Dropped from agenda.

5. Appeal of Michael Tedesco to a decision of the Board of Zoning Adjustment regarding
extension of operating hours of McHenry Station restaurant located at 2501A McHenry
Avenue.

ACTION: Res. 81-696 adopted (Siefkin/Elliott, majority, Patterson and Mayor Mensinger - no)
upholding Board of Zoning Adjustment decision and denying appeal. (Clerk to handle)

6. Hearing to consider amendment to Section 10-2.3503 of the Zoning Regulations pertain-
ing to transfer of Zoning Inspection from Public Works to Planning and Community
Development (to reinstate portion of Section 10-2.3503 inadvertently omitted from
Ord. No. 2017-C.S.).

ACTION: By motion (Patterson/Bright, unan.) Ord. No. 2068-C.S. introduced. (Clerk to handle)

CONSENT

7. Consider approving specifications and authorize call for bids to be opened September 1, 1981, at 2:10 p.m. to furnish video camera, cassette recorder and related equipment for various City departments.
(Requested by the Fire Department, Housing Program Office and Parks and Recreation Department, the equipment will be used to supplement existing video equipment and will not replace any equipment presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$16,000; funds are budgeted.)

ACTION: Res. 81-697 adopted calling for bids.

(Finance to handle)

CONSENT

8. 1) Consider waiving formal bid procedures and authorize the purchase of one computer upgrade kit from Hewlett Packard for \$10,574;
- 2) Consider waiving formal bid procedures and authorize the City Manager to sign a contract with the Burroughs Corporation for purchasing one disk drive for \$25,905.
- (Memorandum with agenda. Resolution authorizing purchase of upgrade kit and resolution approving contract for purchasing disk drive needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 81-698 adopted waiving formal bid procedures and authorizing purchase from Hewlett Packard.

Res. 81-699 adopted waiving formal bid procedures and authorizing purchase from Burroughs Corporation. (Finance to handle)

CONSENT

9. Consider approving increase in the amount of purchase order from \$3,549 to \$5,402.40 for work performed by George Reed, Inc. to overlay Eleventh Street between F and G Streets.
(Amount of asphalt concrete required to do the overlay was greater than originally estimated. Memo with agenda. Resolution approving purchase order increase. Estimated additional cost: \$1,853.40; funds are budgeted.)

ACTION: Res. 81-700 adopted approving purchase order increase. (P.W. to handle)

CONSENT

10. 1) Consider waiving formal bid procedures and authorize the purchase of two brush chippers from Sierra Moreno Mercantile Company for \$26,466;
- 2) Consider authorizing the transfer of \$1,250 from the C.I.P. Contingency Reserve to the Brush Chipper Capital Account;
- 3) Consider authorizing the transfer of \$3,599 from the Service Division's Exigency Reserve to the Brush Chipper Capital Account.
- (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase of brush chippers needed. (Five affirmative votes needed.) Two resolutions approving appropriation transfers needed. Funds are partially budgeted.)

ACTION: Res. 81-701 adopted waiving formal bid procedures and authorizing purchase from Sierra Moreno Mercantile Co.

Res. 81-702 adopted authorizing transfer of \$1,250 from Contingency Reserve.

Res. 81-703 adopted authorizing transfer of \$3,599 from Exigency Reserve. (Finance to handle)

11.

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

None

NEW BUSINESS

12. Consider request by Ecology Action to provide financial support for their curbside recycling program.
(This matter was considered by the City Council in June and referred to the Council Solid Waste Committee for review and report. Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Lang/Siefkin, majority, Muratore-no), the community will support Ecology Action's curbside recycling program through June, 1982.
By motion (Lang/Siefkin, majority, Bright and Muratore-no) the funds are to be raised by adjusting garbage service rates to can customers by the amount of 10¢ per can.
By motion (Lang/Siefkin, majority, Bright and Muratore-no) the amount to be \$5,000 per month beginning October 1, 1981.
Res. 81-704 adopted (Lang/Siefkin, unan.) setting hearing August 25, 1981, 7:30 p.m. to consider garbage rates. (Clerk to handle)

CONSENT

13. Consider giving City Manager authority to terminate the lease agreement with Jerry M. McCafferty dba Guideline Industries, which owns and operates the "Select-a-Call" system at the Airport plus handles other advertising.
(Guideline Industries has fallen seriously behind on their rental payments. Although their service has been adequate, it has never been actively promoted to a point acceptable to staff. Also, until now there has been no one providing a competing service. Staff recommends cancellation of the lease as provided in the lease agreement. Staff will return at a later date with a new lease with another concessionaire. Resolution authorizing City Manager to cancel lease agreement needed.)

ACTION: Res. 81-705 adopted authorizing City Manager to cancel lease agreement. (P.W. to handle)

CONSENT

14. Set public hearing to consider request of S & W Tree Nuts., to vacate and abandon portions of 10th Street east of "D" Street, "C" Street between 9th and 11th Streets, and the alley in Block 50.
(The Council has previously held a public hearing pertaining to this abandonment request, but because of a change in State law it is necessary that a new hearing be held. Memo with agenda. Resolution of intention to vacate and abandon and setting date for public hearing September 1, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-706 adopted setting hearing. (Clerk to handle)

CONSENT

15. Approve agreement with consultant to perform classification study required by Memorandum of Understanding and transfer funds needed from reserves.
(Memorandum with agenda. Resolution approving agreement with consultant and resolution approving appropriation transfer needed. Estimated cost: \$18,500.)

ACTION: Res. 81-707 adopted approving agreement.
Res. 81-708 adopted approving appropriation transfer. (Mgmt. Services to handle)

CONSENT

16. Consider agreement with Diametrics, Inc. to Develop CRIS (Cost/Revenue Impact System). (Memo with agenda. Resolution approving agreement needed. Estimated cost: \$20,000; funds are budgeted.)

ACTION: Res. 81-709 adopted approving agreement. (Finance to handle)

CONSENT

17. Consider Citizens Housing and Community Development Committee recommendation to approve agreement with Stanislaus County Housing Authority for provision of counseling services pursuant to our Community Development Block Grant Program. (Renewal of existing contract in which participants in the Housing Maintenance Program receive counseling in various subjects to sustain the efforts of the program. This would be a follow-up to their participation in the program. Resolution approving agreement needed. Estimated cost: \$48,592; funds are budgeted.)

ACTION: Res. 81-710 adopted approving agreement. (Planning to handle)

CONSENT

18. Consider an amendment to the Memorandum of Understanding between the City of Modesto and the Modesto Police Officers Association modifying the briefing time provisions. (Memorandum with agenda. Resolution approving an amendment to the Memorandum of Understanding dated June 16, 1981, needed.)

ACTION: Res. 81-711 adopted approving amendment to Memorandum of Understanding. (Mgmt. Services to handle)

CONSENT

19. Consider modifying existing franchise agreement granted to the Del Este Water Company to operate within the City of Modesto. (In August, 1960, the Del Este Water Company was granted a franchise for an indefinite term to operate within the City of Modesto. Included was a requirement that the franchise be reviewed at the end of 20 years and at the end of each 10 years thereafter. Review of the franchise has been completed and staff, with the concurrence of the Del Este Water Company, is recommending several adjustments, essentially to make the agreement current with existing conditions. It is recommended that the City Council by ordinance grant the amended franchise agreement to Del Este Water Company. Memo with agenda. Introduction of an ordinance needed.)

ACTION: By motion, Ord. No. 2069-C.S. introduced. (Clerk to handle)

CONSENT

20. Consider approving agreement with Judith A. Eskes for the acquisition of 820± square feet of her property needed for the Sidewalks, Sunrise/Lucern to Norwegian project. (Mrs. Eskes has agreed to sell the required right of way for the appraised value of \$2,120. This is the last of 11 parcels required for this phase of the project. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 81-712 adopted approving agreement. (P.W. to handle)

CONSENT

21. Consider amendment to Beyer Park Land and Water Conservation Fund Grant to delete irrigation and landscaping and add sports fields, play fields, and support facilities. (Irrigation and landscaping already under contract. Resolution approving amendment to agreement needed.)

ACTION: Res. 81-713 adopted approving amendment to agreement. (P.R. to handle)

CONSENT

22. Consider declaring property listed on the City Surplus and Police Stolen or Unclaimed Property Lists as surplus to the City's needs and authorize the property to be sold at a public auction to be held August 29, 1981, at the City's Corporation Yard. (The auction is an annual event held to dispose of surplus City property and Police stolen or unclaimed property held over six months. Resolution declaring property surplus and authorizing a public auction needed.)

ACTION: Res. 81-714 adopted declaring property surplus and authorizing a public auction. (Finance to handle)

CONSENT

23. City Manager's Annual Report of activities of all City departments for fiscal year 1980-81. (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

24. Consider setting hearing to amend Conflict of Interest Codes as follows:

- a. City Manager's Office Code to add Assistant Risk Manager.
- b. Finance Department's Code to delete Data Processing Supervisor and add Data Processing Manager.
- c. Public Works Department's Code to add Supervising Construction Inspector.

(Resolution setting hearing September 1, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-715 adopted setting hearing. (Clerk to handle)

CONSENT

25. Consider amendment to Policy for Evaluating Requests for City Financial Assistance. (Memo with agenda. Resolution approving amendment to policy needed.)

ACTION: Res. 81-716 adopted approving amendment to policy. (Clerk to handle)

MISCELLANEOUS

CONSENT

26. Legislation: Staff recommends:

OPPOSING

a) AB 1875 (Bates) Zoning: second residential dwellings

SUPPORTING

b) AB 124, as amended, (Nolan) Emergency Vehicles: pollution control devices

c) AB 1743 (Ryan) Counties: services to cities

d) SCA 33, as amended, (Keene) Special Taxes: police protection services

e) SB 65, as amended, (Boatwright) Emergency Vehicles: pollution control devices

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

ACTION: By motion, recommendations accepted.

27. Appointments

ACTION: Res. 81-717 adopted (Lang/Elliott, unan.) appointing Gordon Hart to replace Harold Schulenberg on the Board of Zoning Adjustment, term to expire 1/1/82.
(Clerk to handle)


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

ACTION: By motion (Siefkin/Lang, unan.) Mayor Mensinger authorized to contact legislators concerning funding for the Clean Water Grant Program. (Mgr. to handle)

ADJOURNMENT

The meeting adjourned at 10:42 p.m.

ATTEST:


Norrine Coyle

NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 18, 1981, AT 4:00 P.M.

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

Absent: Councilmember Elliott

Pledge of allegiance to the Flag

Invocation: Rev. Paul Cook, Calvary Temple

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 10, 11, 12, 15, 16, 17, 18, 19,
Removed from consent: 13 20, 21, 22, 23, 24, 25, 26

ACTION: Lang/Siefkin, unan., Elliott 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

Mayor Mensinger introduced Susan Hughes, a member of Assemblyman Patrick Johnston's staff. The Mayor acknowledged receipt of a resolution presented by the Board of Supervisors recognizing the City's 111th birthday.

CONSENT

2. Approval of the minutes of the August 11, 1981, regular City Council meeting.
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Report concerning Chuck Moody's request for relocation expense reimbursement.

ACTION: By motion (Siefkin/Muratore, unan., Elliott absent) this item continued to
September 15, 1981, 4:00 p.m. (Clerk to handle)

CONSENT

4. Final adoption of:

- a. Ord. No. 2068-C.S. amending Sec. 10-2.3503 of the Zoning Regulations pertaining to transfer of Zoning Inspection from Public Works to Planning & Community Development (to reinstate portion of Sec. 10-2.3503 inadvertently omitted from Ord. No. 2017-C.S.).
- b. Ord. No. 2069-C.S. modifying existing franchise agreement granted to Del Este Water Co.

(Motion adopting needed.)

ACTION: By motion, Ordinances adopted.

(Clerk to handle)

HEARINGS

5. Continued hearing on appeal by Alfred and Emma Duran, Marcella Restaurant, to a Planning Commission decision concerning service of alcoholic beverages. (Continued from the August 4, 1981, Council meeting.)
(Due to unanticipated absences, it is recommended that this hearing be continued to September 15, 1981, at 4:00 p.m.)

ACTION: By motion (Muratore/Siefkin, unan., Elliott absent) hearing continued to September 15, 1981, 4:00 p.m.

(Clerk to handle)

6. Hearing on amendment to Section 15-3-9 of the Zoning Map to rezone from P-0 to P-D(315) property located on the northeast corner of Coffee Road and Celeste Drive to allow a sandwich shop addition to the office complex. (Modesto Investors)

ACTION: By motion (Muratore/Patterson, unan., Elliott absent) Ord. No. 2070-C.S. introduced.

Res. 81-718 adopted (same vote) approving plan.

Res. 81-719 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

7. Hearing on amendment to Section 14-3-9 of the Zoning Map to rezone from R-1 to P-D(314) property located on the north side of Merle Avenue east of Oakdale Road to allow a 10-unit townhouse development in addition to the existing single-family dwelling and out-buildings. (Arlo and Marvene Hilkey)

ACTION: By motion (Lang/Bright, unan., Elliott absent) Ord. No. 2071-C.S. introduced.

Res. 81-720 adopted (same vote) approving plan.

Res. 81-721 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

8. Hearing on amendment to P-D(166), property located on the southeast corner of Sisk and Sullivan to permit a department store and other freestanding commercial uses. (R. T. Hughes)

ACTION: By motion (Lang/Muratore, unan., Elliott absent) Ord. No. 2072-C.S. introduced. Res. 81-722 adopted (same vote) amending plan and certifying review of Environmental Assessment. (Clerk/Planning to handle)

9. Hearing on appeal by Foodmaker, Inc. to a Board of Zoning Adjustment decision denying an application for a conditional use permit to allow extension of hours of operation for the Jack-In-The-Box restaurant located at the southeast corner of Tully Road and Standiford Avenue.

ACTION: By motion (Siefkin/Bright, unan., Elliott absent) Council acknowledged receipt of withdrawal of appeal by Foodmaker, Inc.

BIDS

CONSENT

10. Consider approval of plans and specifications and call for bids for the construction of picnic area at Revard Park.
(Suggested bid opening: September 1, 1981 at 11:00 a.m. This project will provide for the installation of picnic tables and barbecue pits in Revard Park. An appropriation transfer is needed because this project was inadvertently omitted from the list of projects to be carried over from the previous year's budget. Resolution approving plans and specifications and call for bids, and resolution approving appropriation transfer needed. Estimated cost: \$9,420 (Contract \$8,970; Engineering \$450).

ACTION: Res. 81-723 adopted calling for bids.

Res. 81-724 adopted approving appropriation transfer. (P.W./Finance to handle)

CONSENT

11. Consider approval of plans and specifications and call for bids for Mancini Bowl restoration.
(Suggested bid opening: September 4, 1981 at 11:00 a.m. The Mancini Bowl stage is deteriorating and must be reinforced to permit safe use of the facility. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$61,000 (Contract \$49,000; Engrg. & Contg. \$12,000); funds are budgeted.)

ACTION: Res. 81-725 adopted calling for bids. (P.W. to handle)

CONSENT

12. Consider accepting as complete the contract of Western Pipeline, Inc. for subtrunk sewer extension on Blue Gum between Poust and Carpenter. (Original contract: \$153,231.50)
(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: \$139,557.50; funds are budgeted.)

ACTION: Res. 81-726 adopted accepting work as complete. (Clerk to handle)

13. Consider waiving formal bid procedures and authorize the purchase of Police radio equipment from Motorola, Inc. for the total price of \$87,550.50.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 81-727 adopted (Bright/Patterson, unan., Elliott absent) waiving formal bid procedures. (Finance to handle)

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

None

NEW BUSINESS

CONSENT

15. Consider agreement with Vintage Faire Associates to pay for installation of traffic signals at Dale and Veneman.
(Memo with agenda. A condition of allowing the new Macy's at Vintage Faire was that the developer install these traffic signals. The agreement provides for payment by developer. Resolution approving agreement needed. Estimated cost: \$102,900; funds are budgeted.)

ACTION: Res. 81-728 adopted approving agreement. (P.T. to handle)

CONSENT

16. Consider a Citizens Housing & Community Development Committee recommendation to approve agreement with Stanislaus County Housing Authority for provision of rehabilitation assistances to property owners participating in the Section 8 Moderate Rehabilitation Program.
(Housing Maintenance Program to provide 5% loans to property owners who require moderate rehabilitation of their units and who will participate in the Section 8 Rental Assistance Program, which provides assistance for low/moderate income tenants. Housing Authority to reimburse City for staff time involved. Prevents duplication of services by both organizations. Resolution approving agreement with Stanislaus County Housing Authority needed. Over a period of 3 years, 108 units will receive Moderate Rehabilitation Loans from Community Development Block Grant Funds. Approximately one-half of these (54) are located in our Target Areas and will be rehabed in our normal workload. The remaining approximately 54 units will be scattered throughout the City of Modesto and will receive 5% loans through Crocker Bank via our credit agreement. The average loan for Moderate Rehab is estimated to be \$5,000. 18 Rehab (1/3 of 54) per year - estimated cost (CDBG Funds): \$90,000; funds are budgeted.)

ACTION: Res. 81-729 adopted approving agreement. (Planning to handle)

CONSENT

17. Consider City-County Transportation Committee recommendations.
(Memo with agenda. The Committee recommends a specific \$30,000 advertising program and the hiring of the PBQ&D Company to design the Downtown Transportation Center. (Motions approving the advertising program and the preparation of an agreement to hire PBQ&D needed. Funds are budgeted.)

ACTION: By motion, advertising program approved.
By motion, staff directed to prepare agreement with PBQ&D Company. (P.T. to handle)

CONSENT

18. Consider assigning the Dial-A-Ride agreement to Storer Transit Systems, Inc.
(Memo with agenda. The assigning of the agreement would change Storer's company in the agreement from Storer Transportation School and Contract Service to Storer Transit Systems, Inc. Resolution approving the assignment of the agreement needed.)

ACTION: Res. 81-730 adopted approving assignment of agreement. (P.T. to handle)

CONSENT

19. Consider ninth amendment to agreement with Kennedy/Jenks Engineers to provide design engineering services in connection with wastewater treatment plant improvements.
(As a result of a contact with the State Division of Safety of Dams and a recently completed Value Engineering review of Kennedy/Jenks Engineers' 10% plan completion, it is necessary to provide additional services in connection with design of the treatment facilities. The additional engineering costs are estimated to be \$42,100. These costs will be shared 75% Federal Govt., 12½% State, and 12½% City. There are sufficient funds in the current budget to cover this agreement. Resolution approving agreement needed.)

ACTION: Res. 81-731 adopted approving agreement. (P.W. to handle)

CONSENT

20. Consider approving a Resolution of Intention to amend the contract for Miscellaneous Employees with Public Employees Retirement System.
(Memorandum with agenda. Resolution of Intention to amend contract needed.)

ACTION: Res. 81-732 adopted amending contract. (Mgmt. Services to handle)

CONSENT

21. Consider adoption of "Red Pine Drive" as the official name for a residential street to be constructed by the City along the north line of Robertson Road Park between Hammond Avenue and Crippen Avenue.
(Memo with agenda. Resolution adopting street name needed.)

ACTION: Res. 81-733 adopted approving "Red Pine Drive" as official street name.
(Planning to handle)

CONSENT

22. Consider approval of request of the Stanislaus County Humane Society to hold an All American Mutt and Alley Cat Show in Graceada Park on September 20, 1981.
(Memo with agenda. Resolution authorizing event needed.)

ACTION: Res. 81-734 adopted authorizing event. (P.R. to handle)

CONSENT

23. Consider approving a grant application for Federal funding to construct an extended runway safety area and acquisition of five avigation easements.
(In December, 1980, the Council approved the submission of a preapplication to the FAA for a Federal grant on the two Airport projects. FAA has now informed us that Airport Development Aid Program funds will become available this month and need to be under grant by September 30, 1981. To meet this schedule it is necessary to now submit a grant application to FAA. Memo with agenda. Resolution authorizing City Manager to sign grant application of behalf of the City needed.
Estimated cost: \$200,000; funds are budgeted.)

ACTION: Res. 81-735 adopted authorizing City Manager to sign grant application.
(Finance to handle)

CONSENT

24. Consider amending Municipal Code to provide that when a conditional use permit or variance has been denied, a new application cannot be made for one year unless waived by the City Council or Board of Zoning Adjustment.
(Memorandum with agenda. Resolution initiating amendment and referring to Planning Commission needed.)

ACTION: Res. 81-736 adopted initiating amendment and referring to Planning Commission.
(Planning to handle)

CONSENT

25. Consider joining in three amicus curiae briefs:

- 1) Citizens Against Forced Annexation v. LAFCO:
- 2) The San Diego Union etc. v. The City Council of the City of San Diego; and
- 3) City of Long Beach v. Bozek.

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

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

MISCELLANEOUS

CONSENT

26. Legislation:

Staff recommends:

OPPOSING

- a) AB 780 (Deddeh) Workers' Compensation: Public Safety Officers
- b) AB 893 (Roos) California Communities Act
- c) AB 1638 (Bates) Reduced Work Time Program

SUPPORTING

- d) H.R. 4209, Budget Reconciliation Act

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

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

27. Appointments

None

28.

MATTERS TOO LATE FOR THE AGENDA

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

None

ADJOURNMENT

Meeting adjourned at 5:30 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 25, 1981, 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

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 10, 11, 12, 13, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25

ACTION: Siefkin/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

None

MINUTES

CONSENT

2. Approval of the minutes of the August 18, 1981, regular City Council meeting. (Motion approving needed.)

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

UNFINISHED BUSINESS

2A. Consider approving City-County Transportation Committee recommendations regarding Dial-A-Ride.
(Memo with agenda. The Committee recommends a fare of \$1.20 with lower fares for regular riders and the needy. They also recommend eliminating four hours of weekend service and opening the service to the general public at 6 p.m. on weekdays. Resolution approving fare increase and motion approving service levels and other recommendations needed.)

ACTION: Res. 81-737 adopted (Muratore/Siefkin, unan.) approving fare increase. By motion (same vote) service levels approved.

2A. (Continued) By motion (Siefkin/Lang, unan.) appointments approved for Transportation Advisory Committee: Tom Byrne (United Cerebral Palsy) Chairman; Madelyn Amara (User); Diane Albee (User-Handicapped Committee); Lucille Bourbeau (Public-League of Women Voters); Dick Jacobs (Developmentally Disabled Board); Roxanne Killian (Area Agency on Aging); John Martin (SOSP); Ann Miller (User); David Rockwell (CRLA); Dennis Stoops (Handicapped Committee)

(P.T. to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2070-C.S. rezoning from P-0 to P-D(315) to allow a sandwich shop addition to the office complex, property located on the northeast corner of Coffee Road and Celeste Drive. (Modesto Investors)
- b. Ord. No. 2071-C.S. rezoning from R-1 to P-D(314) to allow a 10-unit townhouse development, property located on the north side of Merle Avenue east of Oakdale Road. (Hilkey)
- c. Ord. No. 2072-C.S. amending P-D(166) to permit a department store and other freestanding commercial uses, property located on the southeast corner of Sisk and Sullivan. (R. T. Hughes)

(Motion adopting needed.)

ACTION: By motion, Ordinances adopted.

(Clerk to handle)

HEARINGS

4. Hearing on improvement to the following commercial alleys:

Block 54 - Bounded by G to H Streets/9th to 10th Streets

Block 55 - Bounded by I to H Streets/9th to 10th Streets

Block 91 - Bounded by K to L Streets/12th to 13th Streets

Block 95 - Bounded by G to H Streets/12th to 13th Streets

Block 106 - Bounded by I to J Streets/13th to 14th Streets

ACTION: Res. 81-738 adopted (Bright/Lang, unan.) ordering work of construction.

(P.W. to handle)

5. Appeal by Lucia Ryerson to a decision of the Board of Zoning Adjustment concerning a car wash on the west side of McHenry Avenue between Roseburg and Orangeburg.
Mayor Mensinger excused due to a conflict of interest.

ACTION: Res. 81-739 adopted (Elliott/Muratore, unan., Mayor Mensinger absent) granting appeal and denying Conditional Use Permit.

6. Hearing on garbage service rate adjustment to provide financial support for Ecology Action.

ACTION: Res. 81-740 adopted (Lang/Siefkin, majority; Bright, Elliott, Muratore - no) setting rates and effective date.

By motion, (same vote) Ord. 2073-C.S. introduced amending Code to provide for collection and payment. (Finance to handle)

7. Hearing on amendment to P-D(85) for condominium conversion, property located on the east side of Coffee Road, northeast of Brighton Avenue. (Bripak Corp., c/o James Price)

ACTION: By motion (Siefkin/Elliott, unan.) amended Condition No. 9 of Planning Commission Res. No. 81-189, changing item 2 of tenant displacement policy for over 62 years and handicapped to date units offered for sale.

By motion (Lang/Bright, majority, Patterson-no) Ord. 2074-C.S. introduced approving conversion.

Res. 81-741 adopted (same vote) amending P-D(85) and approving plan. (Clerk/ Planning to handle)

8. Hearing on amendment to Section 7-3-9 of the Zoning Map to rezone from R-1 to P-D(316), property located on the south side of Standiford Avenue, west of Carver Road to allow a retail nursery and other C-1 Zone uses. (Hischier Nursery)

ACTION: By motion (Elliott/Lang, unan.) Ord. 2075-C.S. introduced approving rezoning.

Res. 81-742 adopted (same vote) approving development plan with change regarding operating hours.

Res. 81-743 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

BIDS

9. Consider filing Notice of Completion, Eleventh Street Parking Garage. (Memo with agenda. The City Clerk filed a partial Notice of Completion on May 20, 1981, which did not include elevator work. That work has now been completed and the elevator is licensed to operate. Resolution authorizing City Clerk to file Notice of Completion and release retained money 35 days thereafter needed. Estimated cost: \$38,468; funds are budgeted.)

ACTION: Res. 81-744 adopted (Lang/Muratore, unan.) accepting as complete.

Res. 81-745 adopted (same vote) authorizing Manager to sign amendment to agreement to allow substitution of bonds for retained percentage. (Clerk/P.T. to handle)

CONSENT

10. Consider approving specifications and authorize call for bids to be opened September 22, 1981, at 2:00 p.m. for furnishing three turf trucks.

(Requested by the Public Works Service Division, the equipment will be permanently dispatched to the Parks Division. The turf trucks are used by maintenance crews to service parks and golf courses and will replace similar equipment. Resolution authorizing call for bids needed. Estimated cost: \$15,668; funds are budgeted.)

ACTION: Res. 81-746 adopted calling for bids. (Finance to handle)

CONSENT

11. Consider approving specifications and authorize call for bids to be opened September 22, 1981, at 2:20 p.m. for furnishing four industrial loaders.
(Requested by the Service Division, three of the loaders will be used in Garden Refuse operations while the fourth unit will be assigned to the Jennings Road ponding site for general maintenance purposes. Two of the Garden Refuse loaders are replacement equipment. Resolution authorizing call for bids needed. Estimated cost: \$165,425; funds are budgeted.)

ACTION: Res. 81-747 adopted calling for bids.

(Finance to handle)

CONSENT

12. Consider award of contract for the waterline extension at Oakdale and Sylvan.
(Bids were opened on August 18, 1981. The low bid of \$111,190, submitted by Mac's Backhoe Service, is 15% 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 Mac's Backhoe Service needed. Funds are budgeted.)

ACTION: Res. 81-748 adopted awarding contract.

(P.W. to handle)

CONSENT

13. Consider waiving formal bid procedures and authorize the purchase of large lamps for fiscal year 1981-82 from the California State Department of General Services for the estimated amount of \$17,000.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 81-749 adopted authorizing purchase.

(Finance to handle)

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

None

NEW BUSINESS

CONSENT

15. Report of Superintendent of Streets on the cost of residential alley resurfacing at the following locations:
(The dollar amounts listed reflect the contract cost for the placement of the asphalt and the raising of manholes and lampholes. The cost of clearing, grading and sterilizing of the alleys was paid for by the City. Resolution setting hearing September 22, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-750 adopted setting hearing.

(P.W./Clerk to handle)

CONSENT

15. Block 6706 Monte Carlo-Mount Verde/Monte Cristo-Hawthorne

Name	Lot	Amount
Roland H. DeLay	1	\$314.26
Larry Medina Jr. & Karen J. Stagno	2	\$294.66
Rudy G. Briones	3	\$294.66
James B. Johnson	4	\$294.66
Dale D. Williams	5	\$294.66
Lloyd B. Anderson	6	\$294.66
Nina Mineni	7	\$294.66
Dorothy Jarrel	8	\$294.66
Thomas O. Croft	9	\$298.01
John F. Hutton	15	\$310.37
Arnold O. Peterson	16	\$308.05
Franklin D. Lindstrom	17	\$308.05
Joseph V. Wood	18	\$303.59
Barrett Newson	19	\$303.59
Gordon Hollingsworth	20	\$303.59
Orville A. Atnip	21	\$301.93
William E. Selchow	22	\$446.45

Block 6834 McHenry Avenue-Kirkwood Avenue/Leveland Ln.-Bowen Avenue

Marvin L. Jones	8	\$378.62
Ann Edmiston	9	\$385.03
Elmo Wilson Sr.	24	\$443.62
Pay Less Drug Stores	Por.	\$1,676.05

Block 6627 Mount Vernon-Joni/Fay-Cheryl

Donald M. Campiotti	9	\$284.70
Harry D. Birks	10	\$268.50
Oletta & Johnston	11	\$268.50
Clarence H. Nusser	12	\$268.50
Estes E. Terry	13	\$268.50
Kris D. Bradford	14	\$268.50
Jerry T. Steele	15	\$268.50
Carroll Underwood	16	\$268.50
Leonard Kirkava	17	\$326.41
Fernandes & Waterman	1	\$313.25
Dan B. Hammon	2	\$308.78
Elvis E. Sholer	3	\$308.78
Elaine M. Gay	4	\$308.78
Roy D. Cagle	5	\$308.78
Stanley F. Baranski	6	\$308.78
Carl R. Holland	7	\$308.78
David W. Moody	8	\$308.78

15. CONSENT (Continued)
Block 801-A Mills-Columbia/Princeton-Yale

Mary G. Conway	1 & Por. 2	\$442.10
Jack E. McCoy	3 & Por. 2 & 4	\$637.77
Richard A. Weigland	5 & Por. 4	\$388.99
Gene E. Johnson	6	\$291.74
Donald W. Rosenberg	7	\$291.74
Frederick W. Reyland Jr.	8 & Por. 9	\$353.63
Kenneth E. Stevens	Por. 9 & 10	\$331.53
Richard N. LeGrand	Por. 10 & 11	\$341.74
Ernest V. Darpinian	12 & Por. 11	\$441.97

CONSENT

17. Consider the following:

- a. Withdrawing Woodland-Bennett Annexation from the Woodland Avenue Fire Protection District.
- b. Determining that the public interest and convenience require that Woodland-Bennett Annexation be annexed to Modesto Municipal Sewer District No. 1.

(The effective date for this annexation was August 14, 1981. Resolution withdrawing Woodland-Bennett Annexation from Woodland Avenue Fire Protection District needed, and resolution setting hearing October 6, 1981, at 4:00 p.m. needed.) (Five affirmative votes needed.)

ACTION: Res. 81-751 adopted withdrawing from Fire Protection District.

Res. 81-752 adopted ^{setting hearing re} annexing to Modesto Municipal Sewer District No. 1

(Clerk to handle)

CONSENT

18. Consider joining in an amicus curiae brief in the case of City of Livermore v. P.G. & E. Co.

(Memorandum with agenda. Motion authorizing joining in an amicus curiae brief needed.)

ACTION: By motion, authorized to join in amicus curiae briefs.

(Atty. to handle)

CONSENT

19. Report on Fixed Assets and Revolving Fund annual inventory.
(The City Charter requires that an annual physical inventory of all City property be taken. The inventory has been completed, and a report is included with the agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

20. Annual Affirmative Action Report - 1980-81.
(Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

21. Consider approving lease agreement with Debbie A. Jones and Jacqueline Sims for the lease of the former Sommerfeld house at 2955 Lincoln Avenue.
(This lease is essentially the same as the lease with the present tenants who will vacate the premises on August 31, 1981. Rent is \$310 per month with the tenants maintaining the house. The lease will be for two years. Resolution approving agreement needed.)

ACTION: Res. 81-753 adopted approving agreement. (P.W. to handle)

CONSENT

22. Consider approving lease agreement with Debbie A. Jones and Sonja Penquite for the lease of the former Doidge pasture and barn.
(This is a renewal of an existing lease. The term is for two years and will expire on September 15, 1983. Rent is \$200 per month. The renewal is being tied into the other lease agreement on the agenda for the Sommerfeld house since Debbie A. Jones is involved in both leases. Resolution approving agreement needed.)

ACTION: Res. 81-754 adopted approving agreement. (P.W. to handle)

CONSENT

23. Consider approving a lease agreement with Sally Ann Hart dba: H.A.R.T., for providing advertising at the Airport. Advertising consists of providing a phone system for contacting local services, restaurants, lodging, and business advertising displays.
(H.A.R.T. will provide the above services and pay the City a share of the fees received. This will be 10% initially and will work up to 50%. The term is for five years. Resolution approving agreement needed.)

ACTION: Res. 81-755 adopted approving agreement. (P.W. to handle)

CONSENT

- 24. Consider increasing the interior monument deposit from \$15 to \$30 per monument. Subdividers place a deposit with the City to guarantee payment to the consulting engineer for setting the monuments. The deposit is returned to the subdivider when evidence is presented that the consulting engineer has been paid. Otherwise, the deposit reverts to the consulting engineer. (Memo with agenda. Resolution increasing deposit needed.)

ACTION: Res. 81-756 adopted increasing deposit. (P.W./Finance to handle)

CONSENT

- 25. Consider approval of the final map of resubdivision of the Vineyard No. 1 of the City of Modesto. Subdivider: Bright Development (A subdivision agreement for the Vineyard No. 1 is signed and valid for this subdivision. All fees are paid. The resubdivision of Vineyard No. 1 is located on the north side of Standiford Avenue east of Tidewater Southern railroad. It contains 15 acres. Resolution approving final map needed.)

ACTION: Res. 81-757 adopted approving final map. (Clerk to handle)

MISCELLANEOUS

- 26. Appointments

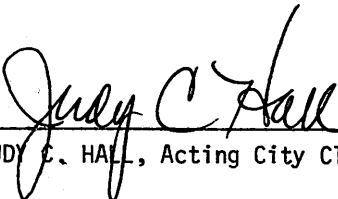
None

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

By motion (Patterson/Elliott, unan.) requested staff to bring back condominium conversion / displacement policy on September 8, 1981. (Clerk/Planning to handle) tenant

ADJOURNMENT

The meeting adjourned at 11:20 p.m.

ATTEST: 
 JUDY C. HALL, Acting City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 1, 1981, AT 4:00 P.M.

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

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Councilmember Thomas Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 12, 13, 15, 15a, 18, 19, 20, 21,
22, 23, 24, 25, 26, 27, 28

ACTION: (Bright/Siefkin, 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

None

MINUTES

CONSENT

2. Approval of the minutes of the August 25, 1981, regular City Council meeting.
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Final adoption of Ord. No. 2073-C.S. amending Code to provide for garbage service rate adjustment to provide financial support for Ecology Action.
(Motion adopting needed.)

ACTION: By motion (Siefkin/Patterson, majority, Elliott and Muratore-no, Mayor Mensinger absent) Ord. No. 2073-C.S. adopted. (Clerk to handle)

4. Final adoption of Ord. No. 2074-C.S. amending P-D(85) for condominium conversion, located on the east side of Coffee Road, northeast of Brighton Avenue. (Bripak Corp. c/o James Price)
(Motion adopting needed.)

ACTION: By motion (Elliott/Bright, majority, Patterson-no, Mayor Mensinger absent)
Ord. No. 2074-C.S. adopted. (Clerk to handle)

CONSENT

5. Final adoption of Ord. No. 2075-C.S. rezoning from R-1 to P-D(316), property located on the south side of Standiford Avenue, west of Carver Road to allow a retail nursery and other C-1 Zone uses. (Hischier Nursery)

ACTION: By motion, Ord. No. 2075-C.S. adopted. (Clerk to handle)

HEARINGS

6. Continued hearing on the cost of construction of sidewalk and/or curb at the following locations:

a. 1515 Encina Avenue (Victor H. Christensen - \$1,885)

ACTION: Res. 81-758 adopted (Elliott/Muratore, unan., Mayor Mensinger absent) assessing cost.

b. 1332 Sunrise Avenue (Mike G. Stavrakakis - \$1,500)

ACTION: Res. 81-759 adopted (Muratore/Siefkin, unan., Mayor Mensinger absent) assessing cost.
(Finance to handle)

7. Hearing to consider request of S & W Tree Nuts, to vacate and abandon portions of 10th Street east of "D" Street, "C" Street between 9th and 11th Streets, and the alley in Block 50.

ACTION: By motion (Elliott/Bright, unan., Mayor Mensinger absent) intention indicated to abandon the portions of the streets and alley. (Atty. to handle)

8. Hearing on amendment to Section 8-4-9 of the Zoning Map to rezone from R-1 to R-2 and H-1, property located at the southwest corner of Crows Landing Road and Algen Avenue. (Dr. Robert McDonald, D.V.M., c/o Design Concepts)

ACTION: By motion (Muratore/Elliott, unan., Mayor Mensinger absent), Ord. No. 2076-C.S. introduced.

Res. 81-760 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

9. Hearing on amendment to P-D(234) to allow a restaurant in addition to offices, property located at the northeast corner of Sisk and Rumble Road. (Rex Properties)

ACTION: By motion (Muratore/Elliott, unan., Mayor absent) Ord. No. 2077-C.S. introduced. Res. 81-761 adopted (same vote) amending conditions. (Clerk to handle)

10. Hearing on amendment to Section 10-2.3502 of the Zoning Ordinance pertaining to canopy signs and Marquee signs.

ACTION: By motion (Elliott/Bright, unan., Mayor Mensinger absent) Ord. No. 2078-C.S. introduced. Res. 81-761A adopted (same vote) certifying review of Environmental Assessment. (Clerk to handle)

11. Hearing on amendments to the following Conflict of Interest Codes:

a. City Manager's Office Code to add Assistant Risk Manager

ACTION: Res. 81-762 adopted (Bright/Muratore, unan., Mayor Mensinger absent) amending Code. b. Finance Department's Code to delete Data Processing Supervisor and add Data Processing Manager

ACTION: Res. 81-763 adopted (same vote) amending Code.

c. Public Works Department's Code to add Supervising Construction Inspector

ACTION: Res. 81-764 adopted (same vote) amending Code.

(Clerk to handle)

BIDS

CONSENT

12. Consider approving specifications and authorize call for bids to be opened September 22, 1981, 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 duration of the 1981-82 fiscal year. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$6,500; funds are budgeted.)

ACTION: Res. 81-765 adopted calling for bids. (P.T. to handle)

CONSENT

13. Consider approval of plans and specifications for the construction of the north side of Scenic Drive at Wycliffe Drive. (Suggested bid opening: September 22, 1981, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$19,000 (Contract \$17,675; Engineering \$1,325); funds are budgeted.)

ACTION: Res. 81-766 adopted calling for bids. (P.W. to handle)

14. Consider award of contract for the Downtown Alley Reconstruction - Phase 3. (Bids were opened on August 25, 1981. The low bid of \$94,979.44, submitted by Lee White Paving Co. is 18% below the engineer's estimate. This provides for reconstructing alleys with 2" of asphalt concrete over 6" of base rock. Staff is reviewing with DID representatives the possibility of using concrete as an alternate surfacing. An oral report will be made at the Council meeting. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 81-767 adopted (Bright/Muratore, unan., Mayor Mensinger absent) awarding contract. (P.W. to handle)

CONSENT

15. Consider acceptance of Central Pump's contract for reconstruction of well at Mancini Park, No. 45, as complete. (Original contract and final cost: \$14,561) (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. Funds are budgeted.)

ACTION: Res. 81-768 adopted accepting work as complete. (Clerk to handle)

CONSENT

- 15a. Consider accepting as complete the contract of Don L. Davis, Inc. for refinishing clarifier No. 1 at the Water Quality Control Plant. (Original contract: \$21,610) (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: \$6,483; funds are budgeted.)

ACTION: Res. 81-769 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

16. Request by League of California Cities for designation of voting delegate and alternate for the Annual League of California Cities' Conference. (Motion naming voting delegate and alternate needed.)

ACTION: By motion (Elliott/Bright, unan., Mayor Mensinger absent), Mayor Mensinger designated as voting delegate, and Vice Mayor Lang designated as alternate. (Clerk to handle)

17. MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

CONSENT

18. Consider reducing performance bond for the new bus service contract. (Memo with agenda. An addendum to the specifications would reduce the performance bond from \$200,000 to \$5,000. The change is proposed to keep the bidding on the agreement competitive and to make the bond more in line with the requirements of the agreement. Bids are due on September 15, 1981. Resolution approving addendum needed.)

ACTION: Res. 81-770 adopted approving addendum. (P.T. to handle)

CONSENT

19. Consider authorizing City Manager to sign a three-year contract with Cooperative Personnel Services. (Memorandum with agenda. Resolution approving agreement needed.)

ACTION: Res. 81-771 adopted approving agreement. (Mgmt. Services to handle)

CONSENT

20. Consider introduction of an ordinance authorizing amendment to the contract between the City of Modesto and the Board of Administration of Public Employees Retirement System. (The amendment implements provisions of the Memorandum of Understanding with the Modesto Employees Association regarding a reduction in retirement benefits. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 2079-C.S. introduced. (Mgmt. Services to handle)

CONSENT

21. Consider request of Ms. Edna Ruiz to permit the omission of sidewalks on the Haney and Leonard Avenue frontages of the proposed development at 730 N. Ninth Street. (Memo with agenda. Resolution approving revocable permit needed.)

ACTION: Res. 81-772 adopted approving revocable permit. (P.W. to handle)

CONSENT

22. Consider LAFCO Questionnaire for proposed "California-Spencer" Annexation. (The proposed annexation consists of approximately 7.35 acres located on the north side of California Avenue between Spencer Avenue and Emerald Avenue. There are six single-family dwellings, a church, a Del Este pump site, and a vacant lot. Memo, maps and questionnaire with agenda. Resolution approving LAFCO Questionnaire needed.)

ACTION: Res. 81-773 adopted approving LAFCO Questionnaire. (Planning to handle)

CONSENT

23. Set date for public hearing for proposed Whitmore No. 3 Annexation to the City of Modesto. (On August 19, 1981, LAFCO approved this inhabited annexation which was initiated by a petition from property owners. The proposed annexation is located along the north side of Whitmore Avenue between Ustick Road and Guthrie Street and contains 46.47 acres with 20 single-family dwellings and approximately 42 acres of agricultural land. Resolution initiating annexation proceedings and setting hearing September 22, 1981 at 7:30 p.m. needed.)

ACTION: Res. 81-774 adopted setting hearing.

(Clerk to handle)

CONSENT

24. Set date for public hearing for proposed Sunnyside No. 2 Annexation to the City of Modesto. (On August 19, 1981, LAFCO approved this inhabited annexation which was initiated by a petition from property owners. The proposed annexation consists of 18.01 acres on the north side of Scenic Drive between Brighton Avenue and Coffee Road and contains 53 dwelling units. Resolution initiating annexation proceedings and setting hearing September 22, 1981 at 7:30 p.m. needed.)

ACTION: Res. 81-775 adopted setting hearing.

(Clerk to handle)

CONSENT

25. Set date for public hearing for proposed Beverly-Harris Annexation to the City of Modesto. (On August 19, 1981, LAFCO approved this inhabited annexation which was initiated by a petition from property owners. The proposed annexation is located along Beverly Drive and Harris Avenue north of Paradise Road and consists of 21 single-family dwellings, a church and three commercial properties. Resolution initiating annexation proceedings and setting hearing September 22, 1981 at 7:30 p.m. needed.)

ACTION: Res. 81-776 adopted setting hearing.

(Clerk to handle)

CONSENT

26. Set hearing for amendment to Housing Element of Modesto Urban Area General Plan. (Amendments adopted by the Planning Commission to conform with State Housing and Community Development's review of City's Housing Element and their subsequent recommended changes and additions. Resolution setting public hearing September 15, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-777 adopted setting hearing.

(Clerk to handle)

CONSENT

27. Consider approval of letter agreement with law firm of Orrick, Herrington and Sutcliffe to act as bond counsel for Sewer Improvement District No. 24. (At the June 23, 1981, Council meeting the Council directed staff to make arrangements for bond counsel for Improvement District No. 24. Resolution approving agreement and authorizing City Manager to sign needed.)

ACTION: Res. 81-778 adopted approving agreement.

(Atty. to handle)

MISCELLANEOUS

CONSENT

28. Legislation: Staff recommends:

OPPOSING

AB 246, as amended, (Goggin) Prison Construction and Law Enforcement Programs.

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

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

29. Appointments

None

30.

MATTERS TOO LATE FOR THE AGENDA

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

None

31.

CLOSED SESSION

Closed session to discuss property acquisition.

ADJOURNMENT

Adjourned at 4:45 p.m. to closed session, and then
/ to City Hall Lobby, 801 11th Street, Modesto, California on Tuesday
September 8, 1981, at 3:00 p.m. for a field trip to the area around Doctor's
Medical Center starting at the Florida Avenue door at 3:15 p.m.

ATTEST: *Norrine Coyle*

NORRINE COYLE, City Clerk

Modesto City Council
Field Trip to Doctors' Medical Center
September 8, 1981, 3:15 p.m.

Present: Councilmembers Bright, Elliott, Muratore

Absent: Councilmembers Lang, Patterson, Siefkin, Mayor Mensinger

The meeting was adjourned due to lack of a quorum. The members present proceeded to take a field trip of the hospital property.

ATTEST:



NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 8, 1981, 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: Rev. Rollin Keller, Grace Orthodox Presbyterian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 8, 10, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22

ACTION: Lang/Bright, unan.

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

1.

ACKNOWLEDGEMENTS

None

MINUTES

CONSENT

2. Approval of the minutes of the September 1, 1981, regular City Council meeting.
(Motion approving needed.)

By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2076-C.S. rezoning from R-1 to R-2 and H-1, property located at the southwest corner of Crows Landing Road and Algen Avenue. (Dr. R. McDonald/Design Concepts)
- b. Ord. No. 2077-C.S. amending P-D(234) to allow restaurant in addition to offices, property located at the northeast corner of Sisk and Rumble. (Rex Properties)
- c. Ord. No. 2078-C.S. amending Sec. 10-2.3502 of Zoning Regulations pertaining to canopy and marquee signs.
- d. Ord. No. 2079-C.S. authorizing amendment to contract with PERS.
(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

270-70

9/8/81 (Clerk to handle)

HEARINGS

4. Order to construct curb/sidewalks at the following locations:
- a) Sidewalk at 1540 Coffee Road, Lot 2 of Block 1212.
(Baggett & Baggett)
 - b) Sidewalk at 1428 Coffee Road, a portion of Block 1179.
(Joe Castiglione)
 - c) Sidewalk at 1534 Coffee Road, Lots 4 & 5 of Block 1212.
(Zula H. Jenkins)
 - d) Sidewalk at 1437 Rose Avenue, Lot 14 of Block 1171.
(Philip Emery)
 - e) Sidewalk along Coffee Road at 1304 E. Coolidge Avenue, a portion of Block 1179.
(Vernal P. Thomas)
 - f) Curb and sidewalk at 224 Drake Avenue, a portion of Block 1193.
(Ira Chambers)
 - g) Sidewalk at 160 Drake Avenue, a portion of Block 1193.
(Raymond McNally)
 - h) Sidewalk at 114 Drake Avenue, a portion of Block 1192.
(Leon R. Sharp)
 - i) Sidewalk at 126 Drake Avenue, a portion of Block 1192.
(Talkington, Hanson, Talkington, Smith)
 - j) Sidewalk at 140 Drake Avenue, a portion of Block 1192.
(Cora E. Wilson)

- k) Sidewalk along Drake Avenue at 1432 McHenry Avenue, a portion of Block 1192.
(Julius M. Ward)
- l) Sidewalk along Standiford Avenue at 500 Standiford Avenue, a portion of Block 13017 (Velton D. Rogers)
- m) Curb and sidewalk at 424 Standiford Avenue, a portion of Block 13042.
(Wendell L. Young)
- n) Curb and sidewalk at 810 Standiford Avenue, a portion of Block 13112.
(L. R. Van Horn, Jr.)

ACTION: Res. 81-779 adopted (Lang/Elliott, unan.) ordering construction except that the work on item "m" may be delayed nine months. (P.W. to handle)

- 5. Hearing to consider rezoning from P-0 and R-2 to P-D(317), property bounded by West Orangeburg Avenue, Granger Avenue, Sherwood Avenue, and Florida Avenue to allow expansion of Doctors Medical Center.
Mayor Mensinger excused due to a conflict of interest.

ACTION: By motion (Elliott/Muratore, unan., Mayor Mensinger absent) Ord. No. 2080-C.S. introduced.

Res. 81-780 adopted (same vote) approving plan.

Res. 81-781 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

- 6. Hearing to consider rezoning from R-1 to R-2 property located on the southeast corner of Rumble Road and Conant Avenue. (Bright Development)

ACTION: By motion (Bright/Patterson, unan.) Ord. No. 2081-C.S. introduced.

Res. 81-782 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

- 7. Hearing to consider amendment to P-D(258) property located on the south side of Needham Avenue on the easterly side of 11th Street to allow addition of a radio broadcasting tower. (First Baptist Church)

Councilmember Muratore excused due to a conflict of interest.

ACTION: By motion (Lang/Siefkin, unan., Muratore absent) Ord. No. 2082-C.S. introduced.

Res. 81-783 adopted (same vote) approving development plan.

(Clerk to handle)

BIDS

CONSENT

8. Consider award of contract for the construction of picnic area at Revard Park. (Bids were opened on September 1, 1981. The low bid of \$7,838, submitted by Bill Mineni Construction is 13% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to him. Resolution awarding contract to Bill Mineni Construction needed. Funds are budgeted.)

ACTION: Res. 81-784 adopted awarding contract.

(P.W. to handle)

9. Consider acceptance of Mac's Backhoe Service's contract for sanitary sewer reconstruction on Duncan Avenue, Chabot Avenue, and Muir Road as complete. (Original contract: \$63,633.90)
(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. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$58,477.50; funds are budgeted.)

Councilmember Elliott excused due to a conflict of interest.

ACTION: Res. 81-785 adopted (Siefkin/Muratore, unan., Elliott absent) accepting as complete.
(Clerk to handle)

CONSENT

10. Consider acceptance of George Reed, Inc.'s contract for resurfacing of City streets - Spring 1981 as complete. (Original contract: \$108,555)
(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: \$109,015.98; funds are budgeted.)

ACTION: Res. 81-786 adopted accepting work as complete.

(Clerk to handle)

CONSENT

11. Consider acceptance of Graham Contractors, Inc.'s contract for heater remix and slurry seal - Spring 1981 as complete. (Original contract: \$57,913.40)
(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: \$64,520.70; funds are budgeted.)

ACTION: Res. 81-787 adopted accepting work as complete.

(Clerk to handle)

CONSENT

12. Consider acceptance of G. H. F. Contracting Engineer's contract for construction of Pump Station No. 44 as complete. (Original contract and final cost: \$115,636) (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. Funds are budgeted.)

ACTION: Res. 81-788 adopted accepting work as complete. (Clerk to handle)

CONSENT

13. Consider rejecting all bids received for furnishing one traffic signal controller; approve specifications and authorize call for new bids to be opened September 29, 1981, at 2:00 p.m. for furnishing two traffic signal controllers. (Memorandum with agenda. Resolution rejecting bids and authorizing new call for bids needed. Estimated cost: \$22,500; funds are budgeted.)

ACTION: Res. 81-789 adopted rejecting bids and calling for new bids. (Finance to handle)

CONSENT

14. Consider waiving formal bid procedures and authorize the purchase of seven hand-held radar units from M.P.H. Industries, Inc. for the total purchase price of \$6,188.28. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed.) (Five affirmative votes needed.)

ACTION: Res. 81-790 adopted waiving formal bid procedures. (Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

15. Request by Downtown Improvement District for permission to hold a sidewalk sale on September 16 - 19, 1981. (Motion approving request needed.)

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

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

None

NEW BUSINESS

17. Council discussion of Condo Conversion Tenant Displacement policy.
(At the August 25, 1981, City Council meeting, Council asked that the Tenant Displacement policy proposed at the July 21, 1981 meeting be discussed again. The proposed Planning Commission policy, the July 13 and August 31, 1981 staff reports are with the agenda.)

ACTION: Res. 81-791 adopted (Lang/Bright, unan.) adopting policy as approved by the Planning Commission in June, 1981, with the following revisions, and/or additions: active assistance to displaced residents, relocation payment equivalent to one month's rent, Class C Western City C.P.I. to be used, two year extended rental agreements to disabled and elderly. (Planning to handle)

CONSENT

18. Consider resolution opposing closure of Modesto City-County Airport's air traffic control tower.
(The Western Regional Office of the Federal Aviation Administration (FAA) has informed the City that its air traffic control tower at the Modesto City-County Airport is a candidate to be permanently closed. The Airport Manager notes that such a closure would have serious impact on both airline and corporate aircraft operation at the Modesto Airport. It is recommended that the City oppose closure of the air traffic control tower. Memo with agenda. Resolution opposing closure needed.)

ACTION: Res. 81-792 adopted opposing closure. (P.W. to handle)

CONSENT

19. Consider acceptance of improvements in Lamatis Industrial Center subdivision as complete and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Owners: James and Mary Lamatis, Angelo R. and Leonora F. Pierini, Gus G. and Helen M. Simvoulakis)
(Lamatis Industrial Center subdivision is located south of Hatch Road and east of Crows Landing Road. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Memo with agenda. Resolution accepting improvements as complete needed.)

ACTION: Res. 81-793 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

20. Recommend to Council the vacation and abandonment of a portion of the 20-foot alley in Block 2196 which extends north from Yosemite Boulevard between San Juan Drive and Phoenix. (Great Valley Bank)
(On August 17, 1981, the Planning Commission adopted Resolution 81-204 recommending to the City Council the vacation and abandonment of a portion of the 20-foot alley in Block 2196 which extends north from Yosemite Boulevard between San Juan Drive and Phoenix Avenue. Resolution setting public hearing October 6, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-794 adopted setting hearing. (Clerk to handle)

CONSENT

21. Consider approving agreement with Regents of the University of California for the lease of a portion of the Lincoln School site.
(Memo with agenda. University of California would like to lease a portion of the former Lincoln School site to use in its Master Gardening Program. The University will maintain the property and make it available to individuals within the community for individual garden plots. Resolution approving agreement needed.)

ACTION: Res. 81-795 adopted approving agreement.

(P.W. to handle)

MISCELLANEOUS

CONSENT

22. Legislation: Staff recommends:

SUPPORTING

- a) AB 21 (Vasconcellos), as amended July 2, Income Tax: schools: property tax

OPPOSING

- b) SB 203 (Rains), Interest rate on judgments

- c) SB 99 (Campbell), Sale of fireworks

(Motion accepting staff recommendations needed.)

ACTION: By motion, recommendations approved.

23. Appointments

None

- 24.

MATTERS TOO LATE FOR THE AGENDA

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

None

ADJOURNMENT

Meeting adjourned at 10:00 p.m.

ATTEST: 
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 15 1981, 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. Ross Bryles, Sherwood Bible Church

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

ACTION: Siefkin/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

None

MINUTES

CONSENT

2. Approval of the minutes of the September 8, 1981, regular City Council meeting.

(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Report concerning Chuck Moody's request for relocation expense reimbursement.

ACTION: Res. 81-796 adopted (Muratore/Lang, unan.) approving settlement.

Res. 81-797 adopted (same vote) approving appropriation transfer.

(Finance to handle)

HEARINGS

4. Continued hearing on appeal by Alfred and Emma Duran, Marcella Restaurant, to a Planning Commission decision concerning service of alcoholic beverages. (Continued from the August 4, and August 18, 1981 Council meetings.)

ACTION: Res. 81-798 adopted (Bright/Elliott, unan.) approving bar with no seating nor service at the bar. (Clerk to handle)

5. Hearing to consider rezoning from R-1 to R-3 property located on the west side of Capistrano Drive extended, north of Yosemite Boulevard. (Bright Development)

ACTION: By motion (Elliott/Bright, unan.) Ord. No. 2083-C.S. introduced.
Res. 81-799 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

6. Hearing to consider rezoning from R-1 to R-2 property located on the east side of Sutter Avenue between Western Way and South Avenue. (Gary Bright)

ACTION: By motion (Lang/Elliott, unan.) Ord. No. 2084-C.S. introduced.
Res. 81-800 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

7. Hearing to consider Housing Element of Modesto Urban Area General Plan.

ACTION: Res. 81-801 adopted (Elliott/Bright, unan.) adopting Housing Element of Modesto Urban Area General Plan. (Clerk to handle)

BIDS

CONSENT

8. Consider award of contract for Mancini Bowl restoration. (Bids were opened September 4, 1981, and the low bid of \$41,994, submitted by Brown Sheet Metal and Mechanical, Inc., is 14% below the engineer's estimate and is considered acceptable. It is therefore recommended by the Parks and Recreation Department and the Public Works Department that the contract be awarded to them. Work consists of steel reinforcement to assure structural integrity of stage and installation of new concrete surface of stage floor. Resolution awarding contract to Brown Sheet Metal and Mechanical, Inc. needed. Estimated cost: \$53,994 (Const. \$41,994; Eng. \$12,000); funds are budgeted.)

ACTION: Res. 81-802 adopted awarding contract. (P.W. to handle)

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

None

NEW BUSINESS

10. Public Projects Committee Urban Boundary Study.
(Memo with agenda. Resolution adopting recommendations of Public Projects Committee needed.)

ACTION: Res. 81-803 adopted (Elliott/Bright, unan.) approving recommendations No. 1 and 2.
Res. 81-804 adopted (Elliott/Bright, majority, Patterson, Siefkin, Mayor Mensinger - no) approving recommendation No. 3
(Planning to handle)

11. Consider approving agreement with Calvin E. and Marjorie H. Bright for the dedication of street right of way in return for the City's constructing certain street improvements, and further discussion regarding the Veneman/Standiford connection.
(Memos with agenda. The City will install street paving in accordance with part-width standards, extend an 8" waterline and install a dry well. The remainder of the required improvements will be done as part of the development of the adjacent properties. Resolution approving agreement needed; motion directing staff to proceed with Hahn Drive improvements and directing staff regarding the closure of Veneman/Standiford connection needed. Estimated cost: \$11,000; funds are budgeted.)

ACTION: Res. 81-805 adopted (Lang/Siefkin, unan.) approving agreement with Bright.

By motion (Lang/Siefkin, unan.) staff directed to proceed with completion of Hahn Drive and proceed with steps necessary to close Veneman.
(P.W./Planning to handle)

12. Designation of voting and alternate voting delegates for the Annual Congress of Cities, November 29 - December 2, 1981, in Detroit, Michigan.
(Motion designating delegates needed.)

ACTION: By motion (Elliott/Siefkin, unan.) Mayor Mensinger designated voting delegate and Vice Mayor Lang and Councilmember Patterson designated alternate voting delegates.
(Clerk to handle)

CONSENT

13. Consider approval of the final map of Rosegate Townhouses No. 2 subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code. Subdividers: Rosegate Investment Group
(The subdivision agreement has been signed and all fees paid. Rosegate Townhouses No. 2 subdivision is located on the north side of Scenic Drive west of Rose Avenue. It contains 0.381 acres. Resolution approving final map needed.)

ACTION: Res. 81-806 adopted approving final map.
(Clerk to handle)

CONSENT

14. Consider health insurance coverage for employees.
(The current health insurance policy expires October 5, 1981. It is recommended that the Council authorize implementation of partially self-insured health care program. City's self-insurance fund can be utilized to initiate program. Memo with agenda. Two resolutions approving agreements with Delta Benefits Plans and Blue Cross needed; and resolution approving appropriation transfer for new position of Risk Management Technician needed. Estimated cost: \$568,170; funds are budgeted.)

ACTION: Res. 81-807 adopted approving agreement with Delta Benefits Plans
Res. 81-808 adopted approving agreement with Blue Cross.
Res. 81-809 adopted approving appropriation transfer to fund new position of Risk Management Technician.
Res. 81-810 adopted approving new rates for health insurance coverage.
(Mgmt. Services/Finance to handle)

CONSENT

15. Set date for public hearing for proposed Beverly-Harris Annexation to the City of Modesto and rescind Resolution No. 81-776.
(On August 19, 1981, LAFCO approved this uninhabited annexation which was initiated by a petition from property owners. The proposed annexation is located along Beverly Drive and Harris Avenue north of Paradise Road and consists of 21 single-family dwellings, a church, and three commercial properties. Memo with agenda. Resolution initiating annexation proceedings and setting public hearing October 6, 1981 at 4:00 p.m. and rescinding Resolution No. 81-776 needed.)

ACTION: Res. 81-811 adopted setting hearing. (Clerk to handle)

CONSENT

16. Consider approval of the final map of Naraghi Lakes No. 1 subdivision of City of Modesto and authorizing agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: U.S. By-Products; Sharon Doris Naraghi, Hashem Naraghi)
(The subdivision agreement has been signed and all fees paid. Naraghi Lakes No. 1 subdivision is located between Sylvan Avenue and Floyd Avenue east of Oakdale Road. It contains 163.769 acres. Resolution approving final map needed.)

ACTION: Res. 81-812 adopted approving final map. (Clerk to handle)

MISCELLANEOUS

17. 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 6:15 p.m.

ATTEST: 
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 22, 1981, 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: Rev. R.E. Segerhammer, Emanuel Lutheran Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 6, 7, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 33

Dropped from agenda: 34, 35

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

Mayor introduced and welcomed a group from General Foods Corp. She also mentioned the Lions Club's annual "White Cane" fund drive, the first weekend in October.

MINUTES

CONSENT

2. Approval of the minutes of the September 15, 1981, regular City Council meeting. (Motion approving needed.)

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

UNFINISHED BUSINESS

3. Final adoption of Ord. No. 2080-C.S. rezoning from P-0 and R-2 to P-D(317) property bounded by W. Orangeburg, Granger, Sherwood and Florida Avenues to allow expansion of Doctors Medical Center. (Motion adopting needed.)

Mayor Mensinger excused due to a conflict of interest.

ACTION: By motion (Siefkin/Bright, unan., Mayor Mensinger absent) Ord. No. 2080-C.S. adopted. (Clerk to handle)

CONSENT

4. Final adoption of Ord. No. 2081-C.S. rezoning from R-1 to R-2 property located on the southeast corner of Rumble Road and Conant Avenue. (Bright Development)
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2081-C.S. adopted.

(Clerk to handle)

5. Final adoption of Ord. No. 2082-C.S. amending P-D(258) to allow addition of radio broadcasting tower, property located on the south side of Needham Avenue on the easterly side of 11th Street.
(Motion adopting needed.)

Councilmember Muratore excused due to a conflict of interest.

ACTION: By motion (Lang/Elliott, unan., Muratore absent) Ord. No. 2082-C.S. adopted.
(Clerk to handle)

CONSENT

6. Final adoption of:

a) Ord. No. 2083-C.S. rezoning from R-1 to R-3 property located on the west side of Capistrano Drive extended, north of Yosemite Boulevard. (Bright Development)

b) Ord. No. 2084-C.S. rezoning from R-1 to R-2 property located on the east side of Sutter Avenue between Western Way and South Avenue. (Gary Bright)

(Motion adopting needed.)

ACTION: By motion, Ordinances 2083-C.S. and 2084-C.S. adopted.

(Clerk to handle)

CONSENT

7. Further consideration of request of S & W Tree Nuts, Inc. to vacate and abandon portions of 10th Street east of D Street, C Street between 9th and 11th Streets, and the alley in Block 50.
(On September 1, 1981, the City Council held a public hearing and agreed to approve the abandonment request subject to execution of necessary legal documents. The documents have now been received and it will be in order for Council to take final abandonment action. Resolution vacating and abandoning streets and alley and resolution directing the Director of Planning and Community Development to file a Notice of Determination of the environmental impact needed.)

ACTION: Res. 81-813 adopted abandoning streets and alley.

(Planning/Public Works
to handle)

HEARINGS

8. Hearing on report of Superintendent of Streets on cost of alley resurfacing at the following locations:

Block 6706 Monte Carlo-Mount Verde/Monte Cristo-Hawthorne

(1) Roland H. DeLay, Lot 1, \$314.26

ACTION: Res. 81-815 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(2) Larry Medina Jr. & Karen J. Stagno, Lot 2, \$294.66

Dropped from agenda.

(3) Rudy G. Briones, Lot 3, \$294.66

ACTION: Res. 81-816 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(4) James B. Johnson, Lot 4, \$294.66

Dropped from agenda.

(5) Dale D. Williams, Lot 5, \$294.66

Dropped from agenda.

(6) Lloyd B. Anderson, Lot 6, \$294.66

ACTION: Res. 81-817 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(7) Nina Mineni, Lot 7, \$294.66

ACTION: Res. 81-818 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(8) Dorothy Jarrel, Lot 8, \$294.66

ACTION: Res. 81-819 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(9) Thomas O. Croft, Lot 9, \$298.01

ACTION: Res. 81-820 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(11) Arnold O. Peterson, Lot 16, \$308.05

ACTION: Res. 81-822 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(12) Franklin D. Lindstrom, Lot 17, \$308.05

ACTION: Res. 81-823 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(13) Joseph V. Wood, Lot 18, \$303.59

ACTION: Res. 81-824 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(14) Barrett Newson, Lot 19, \$303.59

ACTION: Res. 81-825 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(15) Gordon Hollingsworth, Lot 20, \$303.59

ACTION: Res. 81-826 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(16) Orville A. Atnip, Lot 21, \$301.93

ACTION: Res. 81-827 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection.

(17) William E. Selchow, Lot 22, \$446.45

ACTION: Res. 81-828 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

Block 6834 McHenry Avenue-Kirkwood Avenue/Leveland Ln.-Bowen Avenue

(18) Marvin L. Jones, Lot 8, \$378.62

ACTION: Res. 81-829 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(19) Ann Edmiston, Lot 9, \$686.03

ACTION: Res. 81-830 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

ACTION: Res. 81-831 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(21) Pay Less Drug Stores, Por., \$1,676.05

ACTION: Res. 81-832 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

Block 6627 Mount Vernon-Joni/Fay-Cheryl

(22) Donald M. Campiotti, Lot 9, \$284.70

ACTION: Res. 81-833 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(23) Harry D. Birks, Lot 10, \$268.50

ACTION: Res. 81-834 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(24) Oletta & Johnston, Lot 11, \$268.50

Dropped from agenda.

(25) Clarence H. Nusser, Lot 12, \$268.50

Dropped from agenda.

(26) Estes E. Terry, Lot 13, \$268.50

ACTION: Res. 81-835 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(27) Kris D. Bradford, Lot 14, \$268.50

ACTION: Res. 81-836 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(28) Jerry T. Steele, Lot 15, \$268.50

ACTION: Res. 81-837 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(29) Carroll Underwood, Lot 16, \$268.50

ACTION: Res. 81-838 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

ACTION: Res. 81-839 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(31) Fernandes & Waterman, Lot 1, \$313.25

ACTION: Res. 81-840 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(32) Dan B. Hammon, Lot 2, \$308.78

ACTION: Res. 81-841 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(33) Elvis E. Sholer, Lot 3, \$308.78

ACTION: Res. 81-842 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(34) Elaine M. Gay, Lot 4, \$308.78

ACTION: Res. 81-843 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(35) Roy D. Cagle, Lot 5, \$308.78

ACTION: Res. 81-844 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(36) Stanley F. Baranski, Lot 6, \$308.78

ACTION: Res. 81-845 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(37) Carl R. Holland, Lot 7, \$308.78

ACTION: Res. 81-846 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(38) David W. Moody, Lot 8, \$308.78

ACTION: Res. 81-847 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(39) Mary G. Conway, Lot 1 & Por. 2, \$442.10

ACTION: Res. 81-848 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(40) Jack E. McCoy, Lot 3 & Por. 2 & 4, \$637.77

ACTION: Res. 81-849 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(41) Richard A. Weigland, Lot 5 & Por. 4, \$388.99

ACTION: Res. 81-850 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(42) Gene E. Johnson, Lot 6, \$291.74

ACTION: Res. 81-851 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(43) Donald W. Rosenberg, Lot 7, \$291.74

Dropped from agenda,

(44) Frederick W. Reyland Jr., Lot 8 & Por. 9, \$353.63

ACTION: Res. 81-852 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(45) Kenneth E. Stevens, Por. Lot 9 & 10, \$331.53

ACTION: Res. 81-853 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(46) Richard N. LeGrand, Por. Lot 10 & 11, \$341.74

ACTION: Res. 81-854 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(47) Ernest V. Darpinian, Lot 12 & Por. 11, \$441.97

ACTION: Res. 81-855 adopted (Elliott/Muratore, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

9. Hearing on proposed Whitmore No. 3 Annexation to the City of Modesto.

ACTION: Res. 81-856 adopted (Muratore/Lang, unan.) annexing Whitmore No. 3 Annexation to the City of Modesto. (Clerk to handle)

10. Hearing on proposed Sunnyside No. 2 Annexation to the City of Modesto.

ACTION: Res. 81-857 adopted (Muratore/Siefkin, unan.) annexing Sunnyside No. 2 Annexation to the City of Modesto. (Clerk to handle)

11. Hearing on appeal of Laurence O. Stocks, Jr. to Board of Zoning Adjustment decision concerning an application for a variance from parking, setback, and lot coverage limitations to allow a one-story house on substandard lot at 1441 Kearney Avenue.

ACTION: Res. 81-858 adopted (Lang/Bright, unan.) granting appeal.

BIDS

CONSENT

12. Consider declaring four vendors as low responsible bidders and authorize the issuance of four purchase orders for video camera, cassette recorder and related equipment.
(Memorandum with agenda. Resolution authorizing the issuance of four purchase orders needed. Estimated cost: \$13,633.66; funds are budgeted.)

ACTION: Res. 81-859 adopted authorizing the issuance of four purchase orders. (Finance to handle)

CONSENT

13. Consider waiving formal bid procedures and authorize the purchase of seven mid-sized sedans from the State of California Department of General Services for the total price of \$59,586.04.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Estimated cost: \$59,586.04; funds are budgeted.)

ACTION: Res. 81-860 adopted waiving formal bid procedures. (Finance to handle)

CONSENT

14. Consider approval of plans and specifications and call for bids for the extension of Hahn Drive to Veneman Avenue.
(This project will complete the extension of Hahn Drive to Veneman Avenue. Suggested bid opening date: October 6, 1981, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$18,678 (Constr. \$16,980; Eng. \$1,698); funds are budgeted.)

ACTION: Res. 81-861 adopted calling for bids.

(P.W. to handle)

CONSENT

15. Consider approval of plans and specifications and call for bids for the renovation of interior lighting at the City of Modesto Police Department and approval of appropriation transfer of \$12,565 from CIP Reserve to Police Building Renovation account. (Suggested bid opening: October 13, 1981, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed, and resolution approving appropriation transfer needed. Estimated cost: \$18,400; (Contract \$16,000; Eng. \$2,400); funds are partially budgeted.)

ACTION: Res. 81-862 adopted calling for bids.

Res. 81-863 adopted approving appropriation transfer.

(P.W./Finance to handle)

CONSENT

16. Consider approval of plans and specifications and call for bids for the installation of air ventilation system at downtown garage and relocation of heater at service shop at Corporation Yard.
(Suggested bid opening: October 13, 1981, at 11:10 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$26,813.60 (Contract \$25,594.80; Eng. \$1,218.80); funds are budgeted.)

ACTION: Res. 81-864 adopted calling for bids.

(P.W. to handle)

CONSENT

17. Consider approval of plans and specifications and call for bids for strengthening of the water system at Sunrise and Edison.
(Suggested bid opening: October 13, 1981, at 11:20 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$26,414.30 (Contract \$21,513; Eng. \$4,901.30); funds are budgeted.)

ACTION: Res. 81-865 adopted calling for bids.

(P.W. to handle)

CONSENT

18. Consider approval of plans and specifications and call for bids for the construction of waterline extension at Franklin and Beech.
(Suggested bid opening: October 13, 1981, at 11:15 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$27,820 (Contract \$23,920; Eng. \$3,900); funds are budgeted.)

ACTION: Res. 81-866 adopted calling for bids.

(P.W. to handle)

CONSENT

19. Consider approval of plans and specifications and call for bids for the construction of Prescott and Snyder canal crossing. (Suggested bid opening: October 13, 1981, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$203,375.25 (Contract \$180,778; Eng. \$22,597.25); funds are budgeted.)

ACTION: Res. 81-867 adopted calling for bids.

(P.W. to handle)

CONSENT

20. Consider acceptance of Morrow and Waggoner, Inc.'s contract for commercial alley improvements - Phase II, as complete. (Original contract: \$59,371.80) (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: \$62,156.45; funds are budgeted.)

ACTION: Res. 81-868 adopted accepting work as complete.

(Clerk to handle)

CONSENT

21. Consider waiving formal bid procedures and authorizing the issuance of a purchase order to Hewlett Packard for \$5,102 for the purchase of an additional 130,000 bytes of memory for the water automation computer. (The original estimated memory needs for the water automation computer was 56,000 bytes. The complexity of the program is requiring additional memory. The smallest incremental increase in memory is 130,000 bytes. Hewlett Packard is the sole supplier of this piece of computer equipment. Resolution waiving formal bid procedure and authorizing issuance of purchase order to Hewlett Packard needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 81-869 adopted waiving formal bid procedure and authorizing issuance of purchase order.

(Finance to handle)

CONSENT

22. Consider awarding a new five-year bus operation contract. (Memo with agenda. TRIPS, Inc., the present bus service operator, submitted the low bid of \$13.50 per scheduled bus hour for the new agreement which will run from November 1, 1981 through October 31, 1986. Resolution awarding contract to TRIPS needed. Estimated cost: \$800,000/year; funds are budgeted.)

ACTION: Res. 81-870 adopted awarding contract to TRIPS

(P.T. to handle)

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

Mike Mackey expressed complaints concerning the Police Department.

NEW BUSINESS

CONSENT

24. Consider abandonment of a portion of the 10-foot public utility easement in Lot 17 of Block 12409.
(Memo with agenda. Resolution vacating and abandoning a portion of the public utility easement needed.)

ACTION: Res. 81-871 adopted abandoning a portion of the public utility easement.
(P.W. to handle)

CONSENT

25. Consider approving two agreements with Gus J. and Georgia J. Papatone for the acquisition of 15.17± acres of their property needed for the Roselle Neighborhood school and park site. This is one of two properties needed for the total site. (The Papatones have agreed to sell the required property for the appraised value of \$400,000. They have also agreed to rent the property back for one year for \$1,000 and payment of taxes. Resolution approving purchase agreement needed, and resolution approving lease agreement needed. Estimated cost, including escrow: \$404,000; funds are budgeted.)

ACTION: Res. 81-872 adopted approving purchase agreement.
Res. 81-873 adopted approving lease agreement. (P.W. to handle)

CONSENT

26. Consider acceptance of improvements in Regency Park No. 1 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Subdividers: Regency Park Group)
(Regency Park No. 1 subdivision is located north of Veneman Avenue and west of Prescott Road. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Memo with agenda. Resolution accepting improvements as complete needed.)

ACTION: Res. 81-874 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

27. Consider LAFCO Questionnaire for proposed Byron-Emerald Annexation to the City of Modesto.
(The proposed annexation consists of approximately one acre located on the southeast corner of Emerald Avenue and Byron Lane. There are two single-family dwellings and a vacant parcel in the proposed annexation. Memo, maps and questionnaire with agenda. Resolution approving LAFCO Questionnaire needed.)

ACTION: Res. 81-875 adopted approving LAFCO Questionnaire. (Planning to handle)

CONSENT

28. Consider proposal to increase the encroachment permit fees. These fees cover the cost of City inspections and other activities incident to construction of curbs, sidewalks, storm drains, utility repairs, etc.
(Memo with agenda. Resolution adopting new fees needed.)

ACTION: Res. 81-876 adopted approving new fees. (P.W./Finance to handle)

CONSENT

29. Introduction of ordinance which would establish the Ustick Canal Crossing Benefit Area. This is a 202.8 acre area in the southwest quadrant of the City. The ordinance would establish a fee of \$.013 per square foot to partially pay for the cost of construction of a crossing over the TID Lateral No. 1.
(Memo, drawing, and proposed ordinance with agenda. Introduction of ordinance needed. Estimated cost: \$163,000.)

ACTION: By motion, Ord. No. 2085-C.S. introduced. (Clerk/P.W. to handle)

CONSENT

30. Consider joining in an amicus curiae brief in the case of I.B.E.W. v. City of Gridley.
(Memorandum with agenda. Motion authorizing joining in an amicus curiae brief needed.)

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

CONSENT

31. Consider Public Employees' Retirement System investment policy revisions.
(Memo and attachments with agenda. Resolution supporting PERS investment policy revisions needed.)

ACTION: Res. 81-877 adopted supporting PERS investment policy revisions. (Mgmt. Services to handle)

32. Consider adoption of a resolution approving a loan up to \$10,000 from the General Fund to the Solid Waste Recycling Program Account and amending the budget to estimate the revenues from the Solid Waste Recycling Program Charge and appropriating the \$5,000 per month to be paid to Ecology Action from October, 1981 through June, 1982.
(Memorandum with agenda. Resolution needed.)

ACTION: Res. 81-878 adopted (Lang/Siefkin, majority, Bright and Muratore-no) approving loan. (Finance to handle)

CONSENT

33. Consider emergency services agreement with the County.
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$12,000; funds are partially budgeted. Exact additional amount required not known at this time.)

ACTION: Res. 81-879 adopted approving agreement.

(Fire Dept. to handle)

CONSENT

34. Consider approval of the final map of Kingswood Estates No. 5 subdivision of the City of Modesto. The subdivision is a conversion of apartment units to condominiums and no agreement is required. Subdividers: Rule Enterprises.
(All fees have been paid for this condominium conversion. Kingswood Estates No. 5 subdivision is located on the south side of Sylvan Avenue, between Kingswood Drive and Keller Street. It contains 2.995 acres. Resolution approving final map needed.)

Dropped from agenda.

CONSENT

35. Consider approval of the final map of Kingswood Estates No. 6 subdivision of the City of Modesto. The subdivision is a conversion of apartment units to condominiums and no agreement is required. Subdividers: Rule Enterprises.
(All fees have been paid for this condominium conversion. Kingswood Estates No. 6 subdivision is located east of Coffee Road and south of Sylvan Avenue. It contains 2.392 acres. Resolution approving final map needed.)

Dropped from agenda.

MISCELLANEOUS

36. Appointments

None

37.

MATTERS TOO LATE FOR THE AGENDA

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

ACTION: Res. 81-814 adopted (Elliott/Muratore, unan.) approving interim air service by Aspen Airways. (P.W. to handle)
Council also discussed League Conference resolutions and AB893 (New Committees)

38.

CLOSED SESSION

The meeting adjourned to closed session at 8:30 p.m. to discuss property acquisition and did not return to open session.

ATTEST: 
NORRINE COYLE, City Clerk

Special Council Meeting
September 28, 1981

The Council of the City of Modesto met at 2:30 p.m., in the City Hall Council Chambers, City Hall, 801 11th Street, Modesto, California.

Present: Councilmembers: Elliott, Muratore, Siefkin, Mayor Mensinger

Absent: Councilmembers: Bright, Lang, Patterson

The business considered consisted of the following:

Accepting a grant from Federal Aviation Administration for \$180,000.

ACTION: Res. 81-880 adopted (Elliott/Muratore, unan.; Bright, Lang, and Patterson absent) accepting the grant.

The meeting adjourned at 2:35 p.m.

ATTEST:



NORRINE COYLE City Clerk

9/28/81

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 6, 1981, 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: Councilmember Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 10, 11, 12, 13, 14, 15, 16,
18, 19, 20, 21, 22, 25, 29, 31, 32,
Dropped from Agenda: 17 33, 34, 35, 36, 37,

ACTION: Siefkin/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

Mayor Mensinger introduced Webeloes Den No. 1, Pack 112, members and leader, and presented a distinguished service plaque to Harold Schulenberg, former Board of Zoning Adjustment member.

MINUTES

CONSENT

2. Approval of the minutes of the September 22, 1981, regular City Council meeting and the special City Council meeting of September 28, 1981.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of Ord. No. 2085-C.S. establishing the Ustick Canal Crossing Benefit Area.
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2085-C.S. adopted.

(Clerk to handle)

HEARINGS

4. Continued informal hearing regarding the use of special assessment bond financing.
(Continued from the July 28, 1981, meeting.)

ACTION: By motion (Patterson/Siefkin, unan.) staff directed to work on guidelines for special assessment bond financing with special interest in downtown redevelopment, industrial development and lower-cost housing.
(P.W. to handle)

5. Hearing to consider the vacation and abandonment of a portion of the 20-foot public alley in Block 2196 which extends north from Yosemite Boulevard between San Juan Drive and Phoenix Avenue. (Great Valley Bank)

ACTION: By motion (Elliott/Muratore, unan.) intention to abandon alley indicated.

(Planning to handle)

6. Hearing to consider the appeal of Delta Blood Bank to a decision of the Board of Zoning Adjustment regarding a variance from side and rear yard landscaping requirements, property located at the southwest corner of Martin Avenue and W. Orangeburg Avenue.

Councilmember Muratore excused due to a conflict of interest.

ACTION: Res. 81-881 adopted (Lang/Patterson, majority, Siefkin-no, Muratore absent) granting appeal.
(Planning to handle)

7. Hearing to consider amendment to Section Map 5-4-9 to rezone from R-2 to P-D(318) for a condominium development, property located on the west side of Roselawn Avenue north of Rouse Avenue. (Joe D. Morris)

ACTION: By motion (Muratore/Bright, unan.) Ord. No. 2086-C.S. introduced.

Res. 81-882 adopted (same vote) approving plan.

Res. 81-883 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

8. Hearing to consider the Beverly-Harris Annexation to the City of Modesto.

ACTION: Res. 81-884 adopted (Muratore/Bright, unan.) annexing Beverly-Harris Annexation to the City of Modesto. (Clerk to handle)

9. Hearing to consider the Woodland-Bennett Annexation to the Modesto Municipal Sewer District No. 1.

ACTION: Res. 81-885 adopted (Elliott/Lang, unan.) annexing Woodland-Bennett Annexation to sewer district. (Clerk to handle)

BIDS

CONSENT

10. Consider approval of plans and specifications and call for bids for the construction of site improvements at Pump Station No. 14 on Virginia Avenue, Block 718. (Suggested bid opening: October 20, 1981, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$9,680 (Contract \$8,800; Engrg. \$880); funds are budgeted.)

ACTION: Res. 81-886 adopted calling for bids. (P.W. to handle)

CONSENT

11. Consider approving specifications and authorize call for bids to be opened October 27, 1981, at 2:00 p.m. for furnishing replacement fire hose. (Requested by the Fire Department, the fire hose will replace damaged, worn, or obsolete fire hose presently on hand. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$19,300; funds are budgeted.)

ACTION: Res. 81-887 adopted calling for bids. (Finance to handle)

CONSENT

12. Consider approving specifications and authorize call for bids to be opened November 3, 1981, at 2:15 p.m. for furnishing one forklift and one tractor. (Requested by the Public Works Service Division, the forklift will be used primarily by the Parks Tree Division to load heavy tree limbs and will replace a similar unit presently in service. The tractor will be used by Parks maintenance crews to groom ball parks and will not replace any similar equipment presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated cost: Forklift \$36,000; Tractor \$13,000; funds are budgeted.)

ACTION: Res. 81-888 adopted calling for bids. (Finance to handle)

10/6/81

CONSENT

13. Consider declaring Safe-T-Lite low bidder and authorizing the purchase of the City's annual requirements of street name signs at the prices bid.
(Memorandum with agenda. Resolution declaring Safe-T-Lite low bidder and authorizing purchase needed. Estimated cost: \$7,500; funds are budgeted.)

ACTION: Res. 81-889 adopted authorizing purchase.

(Finance to handle)

CONSENT

14. Consider rejecting bids and authorize new call for bids to be opened November 10, 1981, at 2:00 p.m. for furnishing three turf trucks.
(Memorandum with agenda. Resolution rejecting bids and authorizing new call for bids needed. Estimated cost: \$15,668; funds are budgeted.)

ACTION: Res. 81-890 adopted rejecting bids and authorizing new call for bids.

(Finance to handle)

CONSENT

15. Consider rejecting all bids received for furnishing and installing one drill tower safety net.
(Memorandum with agenda. Resolution rejecting all bids needed.)

ACTION: Res. 81-891 adopted rejecting all bids.

(Finance to handle)

CONSENT

16. Consider approving specifications and authorize call for bids to be opened November 3, 1981, at 2:00 p.m. for furnishing local government and Police radio equipment.
(Requested by the Police, Parks, Public Works, and Management Services Departments, the radio equipment will be placed into general communications service. The radio equipment consists of eight mobiles, three portables, and one pager and will not replace similar equipment presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$17,909); funds are budgeted.)

ACTION: Res. 81-892 adopted calling for bids.

(Finance to handle)

CONSENT

17. Consider declaring Dow Hammond low bidder meeting City specifications and authorize the purchase of one garden refuse packer truck from the firm for the total price of \$75,056.77.
(Memorandum with agenda. Resolution authorizing purchase of truck needed. Funds are budgeted.)

Dropped from agenda.

CONSENT

18. Consider award of contract for the improvement of Scenic Drive at Wycliffe Drive. (Bids were opened on September 22, 1981. The low bid of \$11,595, submitted by The Flintkote Company is 34% 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 The Flintkote Co. needed. Funds are budgeted.)

ACTION: Res. 81-893 adopted awarding contract.

(P.W. to handle)

CONSENT

19. Consider acceptance of Mac's Backhoe Service's contract for the construction of waterline extension in Kansas Avenue as complete. (Original contract: \$25,327) (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: \$25,119; funds are budgeted.)

ACTION: Res. 81-894 adopted accepting work as complete.

(Clerk to handle)

CONSENT

20. Consider acceptance of The Flintkote Company's contract for Standiford Avenue at Hetch Hetchy right of way as complete. (Original contract: \$83,591) (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. Final cost: \$81,968.79; funds are budgeted. Resolution accepting work as complete needed.)

ACTION: Res. 81-895 adopted accepting work as complete.

(Clerk to handle)

CONSENT

21. Consider acceptance of The Flintkote Company's contract for improvements on Sylvan Avenue between McHenry Avenue and Coffee Road as complete. (Original contract: \$172,414.20) (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: \$181,405.69; funds are budgeted.)

ACTION: Res. 81-896 adopted accepting work as complete.

(Clerk to handle)

CONSENT

22. Consider waiving formal bid procedures and awarding contract to Montgomery Elevator Company to earthquake-proof elevator in City Hall.
(State Occupational Safety and Health Administration has mandated that City Hall Elevator be upgraded. Memo with agenda. Resolution waiving formal bid procedure and awarding contract to Montgomery Elevator needed. (Five affirmative votes needed. Estimated cost: \$9,741 (Contractor \$8,941; Engineering \$800); funds are budgeted.)

ACTION: Res. 81-897 adopted waiving formal bid procedure and awarding contract.
(P.W. to handle)

WRITTEN COMMUNICATIONS

23. Letter from Victor H. Christensen regarding the curb and gutter at 1515 Encina Avenue. Councilmember Elliott left the meeting at 5:45 p.m.

ACTION: By motion (Siefkin/Bright, unan., Elliott absent) staff directed to rebuild the driveway approach with Mr. Christensen to assume responsibility for necessary work on the driveway.
(P.W. to handle)

24. Letter from R. Carr Construction Co. regarding commercial alley improvement project, phase II.

ACTION: By motion (Muratore/Siefkin, unan., Elliott absent) no action taken.

CONSENT

25. Letter from Allen R. Grant regarding abandonment of a portion of the alley on the east side of the commercial development on Oakdale Road and Surrey Avenue.
(Motion referring to the Planning Commission needed.)

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

MATTERS FOR THE GOOD OF THE COMMUNITY

26. (These may be presented by interested persons in the audience.)
Councilmember Lang excused due to a conflict of interest.

ACTION: Res. 81-898 adopted (Siefkin/Muratore, unan., Elliott and Lang absent) approving Police Department assistance with the Junior Chamber of Commerce's Parade of Bands on October 10, 1981. (Police to handle)

NEW BUSINESS

27. Consider approval of an agreement with Ward Connerly and Associates to assist the DID and the City with the steps necessary to establish a Redevelopment Agency. (Letter from DID Chairman with agenda. Resolution approving agreement needed. Estimated cost: \$3,500; funds are budgeted.)

ACTION: Res. 81-899 adopted (Lang/Siefkin, unan., Elliott absent) approving agreement.
(Planning to handle)

CONSENT

29. Consider approving agreement with 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, 1981, \$2.50 per 50 pound box of olives, for right to harvest the trees. Resolution approving agreement needed.)

ACTION: Res. 81-900 adopted approving agreement. (P.R. to handle)

CONSENT

31. Consider approving agreement with Elvin Buck to harvest English walnuts from City trees at Dryden Municipal Golf Course, Roosevelt Park, City Pump Station No. 14, City Pump Station on Emerald, the Mancini Park property, south side of Tuolumne River near Ninth Street Bridge approach, and the 3± acres at the northeast corner of Legion Park Drive and Santa Cruz Avenue. (The City's share of the proceeds from the sale will be 35%, by December 15, 1981. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 81-901 adopted approving agreement. (P.R. to handle)

CONSENT

32. Consider declaring an estimated 100 cords of wood located at the McClure house as surplus to City needs and authorize the Purchasing Officer to sell the wood for \$40 per cord at a public sale to be held October 17, 1981, at the McClure house. (The surplus wood is a result of the tree trimming and removal activities conducted by the Parks and Recreation Tree Division. Resolution declaring wood surplus and authorizing public sale needed.)

ACTION: Res. 81-902 adopted declaring wood surplus and authorizing public sale.
(Finance to handle)

CONSENT

33. Report on Summer 1981 Water Conservation Program.
(The City of Modesto Summer Water Conservation Program, designed to conserve water and energy during peak demand periods, came to a close September 15, 1981. Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

34. Consider request for water service to property outside City limits at 207 Kendee Road, located on the north side of Kendee Road between Crows Landing Road and Cascade Avenue. Owners: Richard E. and Deanna J. Salter
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to City and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 81-903 adopted approving agreement. (P.W. to handle)

CONSENT

35. Set date for public hearing for proposed Haddon-El Vista Annexation.
(On September 16, 1981, LAFCO approved this inhabited annexation which was initiated by a resolution of application by the City Council pursuant to petitions submitted by property owners. The proposed annexation of 30.92 acres includes the 6½ blocks bounded by Haddon Avenue and Roble Avenue, the alley west of El Vista Avenue and the alley east of Trask Lane. The land uses consists of 102 dwellings and a church. Resolution initiated annexation proceedings and setting date for public hearing on October 27, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-904 adopted setting hearing. (Clerk to handle)

CONSENT

36. Presentation of Financial Statement for August, 1981.
(Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

37. Presentation of the City of Modesto Annual Financial Report for the year ended June 30, 1981; and presentation of the Annual Audit Report of the City's financial records for the year ended June 30, 1981, prepared by Lowry Accountancy Corporation.
(Copies of the reports will be presented at the meeting. Motion acknowledging receipt of the reports needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

38. Appointments

ACTION: By motion (Muratore/Siefkin, unan., Elliott absent) the following people were appointed to the Transportation Advisory Committee:

Tom Byrne (United Cerebral Palsy) Chairman
Diane Albee (Handicapped Committee)
Tom Berglund (United Way)
Lucille Bourbeau (League of Women Voters)
Peggy Crowther (YMCA/Omega-Nu)
Larry Duquette (Chamber of Commerce)
Dick Jacobs (Developmentally Disabled Board)
Larry Jaffa (Service Clubs)
Roxanne Killian (Area Agency on Aging)
John Martin (SOSP)
Ann Miller (User)
David Rockwell (CRLA)
Dennis Stoops (Handicapped Committee)
Edna VonKomen (Commission on Aging)
Dennis Wilson (Downtown Modesto Asso.)

39. MATTERS TOO LATE FOR THE AGENDA

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

ACTION: By motion (Muratore/Lang, unan., Elliott absent) S898, CATV Local Deregulation opposed unless amended as proposed by Senator Goldwater. (Mgmt. Services to handle)

40. CLOSED SESSION

Closed session to discuss an employee relations matter.

ADJOURNMENT

Council adjourned to closed session at 6:50 p.m. and did not return to open session.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 13, 1981, 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 Thomas Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 14A, 17, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31

ACTION: Lang/Muratore, unan.

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the October 6, 1981, regular City Council meeting.
(Motion approving needed.)

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

UNFINISHED BUSINESS

CONSENT

3. Final adoption of Ord. No. 2086-C.S. amending Sec. Map 5-4-9 to rezone from R-2 to P-D(318) for a condominium development, property located on the west side of Roselawn Avenue north of Rouse Avenue. (Joe D. Morris)
(Motion adopting needed.)

ACTION: By motion Ord. No. 2086-C.S. adopted. (Clerk to handle)

HEARINGS

4. Hearing to consider the appeal of Bruce Patterson to a Board of Zoning Adjustment decision denying a variance from side and rear yard setback requirements and residential parking area dimension requirements to allow a carport addition at 1636 Hialeah Drive.

ACTION: By motion (Elliott/Bright, majority, Land and Muratore-no) the Planning Director and Mr. Patterson were asked to confer on the option suggested by the Planning Director and return before the end of the meeting, if possible, or at the next Council meeting.

Res. 81-905 adopted (Muratore/Lang, unan.) granting appeal. (Clerk to handle)

BIDS

CONSENT

5. Consider approving specifications and authorize call for bids to be opened November 3, 1981, at 2:20 p.m. to furnish annual requirements of maintenance paint. (Maintenance paint will be used for the duration of the 1981-82 fiscal year on various equipment and facilities maintained primarily by the Fire, Parks and Recreation and Public Works Departments. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$4,700; funds are budgeted.)

ACTION: Res. 81-906 adopted calling for bids. (Finance to handle)

CONSENT

6. Consider approval of plans and specifications for the rebid of the repiping of the Rose-Celeste lift station. (Suggested bid opening: October 27, 1981, at 11:05 a.m. Resolution approving plans and specifications and call for rebid needed. Estimated cost: \$217,562 (Contract \$207,202; Engineering \$10,360); funds are budgeted.)

ACTION: Res. 81-907 adopted calling for bids. (P.W. to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for the installation of landscaping and irrigation systems for various water pump stations and one lift station. (Suggested bid opening: October 27, 1981, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$24,260 (Contract \$23,100; Engineering \$1,160); funds are budgeted.)

ACTION: Res. 81-908 adopted calling for bids. (P.W. to handle)

CONSENT

8. (1) Consider declaring Gaines Equipment Co. low bidder meeting City specifications and authorize the purchase of three industrial loaders from the firm for the total price of \$119,250. (2) Consider authorizing the purchase of one industrial loader from Modesto Ford Tractor for the total price of \$18,710. (Memorandum with agenda. Resolution authorizing purchase of loaders from Gaines Equipment Co. needed, and resolution authorizing purchase of loader from Modesto Ford Tractor needed. Funds are budgeted.)

ACTION: Res. 81-909 adopted authorizing purchase from Gaines Equipment Co.

Res. 81-909A adopted authorizing purchase from Modesto Ford Tractor. (Finance to handle)

CONSENT

9. Consider authorizing the purchase of 2 traffic controllers from Standum Controls, Inc. for the total purchase price of \$19,710.70.
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 81-910 adopted authorizing purchase. (Finance to handle)

CONSENT

10. Consider acceptance of contract to replace the inverted siphon at Beard Brook Park as complete. (Original contract: \$77,875)
(The original contract with SPM Development Company was suspended. The bonding company took over performance, and 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. Final cost: \$78,625; funds are budgeted.)

ACTION: Res. 81-911 adopted accepting as complete. (Clerk to handle)

CONSENT

11. Consider acceptance of George Reed, Inc.'s contract for reconstruction of College Avenue from Briggsmore to Davis Park as complete. (Original contract: \$125,475)
(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: \$130,104.05; funds are budgeted.)

ACTION: Res. 81-912 adopted accepting as complete. (Clerk to handle)

CONSENT

12. Accept Standiford Avenue restriping near Columbine Drive as complete.
(Memo with agenda. All work on this restriping project to add a two-way left-turn lane on Standiford at Columbine has been satisfactorily completed. Resolution accepting project as complete and authorizing City Clerk to file Notice of Completion and authorizing Finance Department to make final payment needed. Estimated cost: \$7,475; funds are budgeted.)

ACTION: Res. 81-913 adopted accepting as complete. (Clerk to handle)

CONSENT

13. Consider approving substitution of Fowler Heating and Air Conditioning as the mechanical subcontractor for the McHenry Mansion Restoration project as requested by the prime contractor, Wilco Construction Company.
(The subcontractor originally listed on the bid proposal for mechanical work was unable to submit a bond with his subcontract agreement as required by the prime contractor. Memo with agenda. Resolution approving substitution of subcontractor needed.)

ACTION: Res. 81-914 adopted approving substitution of subcontractor. (P.W. to handle)

CONSENT

14. Consider rejecting the sole bid received from Van Pelt Fire Truck for furnishing one 1500 g.p.m. pumper truck and authorize new bids to be opened November 17, 1981, at 2:00 p.m.
(The one bid received was considerably higher than estimates; specification modifications and the addition of a new vendor should result in competitive bidding and lower prices. Resolution rejecting bid and authorizing new call for bids needed. Estimated cost: \$162,000; funds are budgeted.)

ACTION: Res. 81-915 adopted authorizing call for bids. (Finance to handle)

CONSENT

- 14A. Consider award of contract for the extension of Hahn Drive to Veneman Avenue.
(Bids were opened and the low bid of \$12,587, submitted by Lee White Paving Co., Inc., is considered acceptable. It is therefore recommended by the Public Works Department to award the contract to them. The bid is 26% below the engineer's estimate. Resolution awarding contract to Lee White Paving Co., Inc. needed. Estimated cost: \$14,285 (Contract \$12,587; Engrg. \$1,698); funds are budgeted.)

ACTION: Res. 81-916 adopted awarding contract. (P.W. to handle)

WRITTEN COMMUNICATIONS

15. Request by Laurence McKeever to hold a U. N. Day observance on Saturday, October 24, 1981, at City Hall.

ACTION: By motion (Elliott/Lang, unan.) request approved. (P.W. to handle)

16. Request by Central California Art League, Inc. that the City Council waive rental payments for the art center and gallery for six months.

ACTION: Res. 81-917 adopted (Bright/Lang, majority, Elliott and Siefkin-no) waiving rent for 6 months.
By motion (Bright/Lang, majority, Elliott and Siefkin-no) approved staff recommendations 2 and 3. (P.R./ Finance to handle)

CONSENT

17. Request by Gary R. Mendizza for permission to file a late claim.
(Resolution denying request needed.)

ACTION: Res. 81-918 adopted denying request. (Clerk to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

19. Discussion concerning bicycle racks at commercial developments.
(Staff believes that generally bike facilities are being adequately provided. If the Council wishes to reconsider, however, suggested standards are included in the memo with the agenda. Motion directing staff or dropping matter from further consideration needed.)

ACTION: By motion (Elliott/Patterson, majority, Siefkin and Mayor Mensinger-no) Council determined that no action would be taken at this time.
By order of the Chair, staff directed to obtain information as to how non-motorized funds can be obtained through S.A.A.G. for bike racks. (Planning to handle)

20. Consideration of a multiple family mortgage revenue bond issue.
(Staff seeks direction as to whether the City wants to consider a multiple family mortgage revenue bond issue and if so, whether to work with Shearson/American Express, or invite proposals from several underwriters. Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Bright/Siefkin, unan.) staff recommendations approved.
(Planning to handle)

CONSENT

21. Consider proposed new golf fees.
(Memo with agenda. Resolution establishing new fee schedule needed.)

ACTION: Res. 81-919 adopted establishing new fee schedule. (P.R./Finance to handle)

CONSENT

22. Consider approval of agreement with Design Concepts for preparation of plans and specifications for the construction of Fire Station No. 9.
(The agreement provides for the preparation of plans for Fire Station No. 9 at a cost of \$4,000; funds are budgeted. Resolution approving agreement with Design Concepts needed.)

ACTION: Res. 81-920 adopted approving agreement. (P.W. to handle)

CONSENT

23. Consider approval of the final map of Kingswood Estates No. 5 subdivision of the City of Modesto. The subdivision is a conversion of apartment units to condominiums and no agreement is required. Subdividers: Rule Enterprises.
(All fees have been paid for this condominium conversion. Kingswood Estates No. 5 is located on the south side of Sylvan Avenue, between Kingswood Drive and Keller Street. It contains 2.995 acres. Resolution approving final map needed.)

ACTION: Res. 81-921 adopted approving final map. (Clerk to handle)

CONSENT

24. Consider approval of the final map of Kingswood Estates No. 6 subdivision of the City of Modesto. The subdivision is a conversion of apartment units to condominiums and no agreement is required. Subdividers: Rule Enterprises. (All fees have been paid for this condominium conversion. Kingswood Estates No. 6 is located east of Coffee Road and south of Sylvan Avenue. It contains 2.392 acres. Resolution approving final map needed.)

ACTION: Res. 81-922 adopted approving final map.

(Clerk to handle)

CONSENT

25. Amend City of Modesto 1981-82 fiscal year Final Budget to provide for a Juvenile Offenders' Diversion Program. (On June 2, 1981, Council authorized the City Manager to enter into a grant agreement with the State of California (OCJP) for the operation of a Juvenile Offenders' Diversion Program. A pre-agreement approval from OCJP has been received, and the Police Department is ready to commence with this grant project. It is now in order to amend the budget to estimate revenues and establish appropriations within the General Fund for this purpose. Resolution amending the Final Budget needed. Estimated cost fiscal year 1981-82 \$43,872; fiscal year 1982-83 \$9,275; total \$53,147.)

ACTION: Res. 81-923 adopted amending the Final Budget.

(Finance to handle)

CONSENT

26. Consider the following:

- a. Withdrawing Sunnyside No. 2 Annexation from the McHenry-Dry Creek Fire District.
- b. Set hearing to determine that the public interest and convenience require that Sunnyside No. 2 Annexation be annexed to the Modesto Municipal Sewer District No. 1.

(The effective date of this annexation was September 30, 1981. Resolution withdrawing annexation from fire district needed, and resolution setting public hearing November 17, 1981, at 4:00 p.m. needed.) (Five affirmative votes needed.)

ACTION: Res. 81-924 adopted withdrawing from McHenry-Dry Creek Fire District.

Res. 81-925 adopted setting hearing.

(Clerk to handle)

CONSENT

27. Consider the following:

- a. Withdrawing Whitmore No. 3 Annexation from the Industrial Fire District.
- b. Set hearing to determine that the public interest and convenience require that Whitmore No. 3 Annexation be annexed to the Modesto Municipal Sewer District No. 1. (The effective date of this annexation was October 2, 1981. Resolution withdrawing annexation from fire district needed, and resolution setting public hearing November 17, 1981, at 4:00 p.m. needed.) (Five affirmative votes needed.)

ACTION: Res. 81-926 adopted withdrawing from the Industrial Fire District.

Res. 81-927 adopted setting hearing.

(Clerk to handle)

CONSENT

28. Consider City-County Joint Transportation Committee recommendations for Intracity Transit and Dial-A-Ride.
(Memo with agenda. The recommendations include: implementing three transit workshop suggestions for transit advertising, using single-post bus stop signs, setting a public hearing to consider an increase in Dial-A-Ride fares, and setting a hearing to consider implementing several changes to the Intracity Transit routing network. Motion approving the advertising and bus stop sign recommendations needed, and resolution setting the public hearing November 24, 1981, at 7:30 p.m. needed. Estimated cost: \$3,255 (Tape Device \$135; Signs \$3,120); funds are budgeted.)

ACTION: By motion, recommendations approved.

Res. 81-928 adopted setting hearing, (Clerk/P.T. to handle)

CONSENT

29. Presentation of Financial Statement for September, 1981.
(Copies of report will be presented at meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

30. Consider proposal for formation of the Ustick Drainage Area.
(This would be a 146.7 acre positive drainage area in the southwest quadrant of the City. Memo with agenda. Resolution approving negative declaration needed, and introduction of ordinance needed. Estimated cost: \$335,063 -- to be submitted in future CIP's.)

ACTION: By motion, Ord. No. 2087-C,S. introduced,

Res. 81-929 adopted approving negative declaration. (P.W. to handle)

MISCELLANEOUS

CONSENT

31. Legislation: General Revenue Sharing
(Staff recommends the Council oppose any cuts in General Revenue Sharing and communicate their position to our legislators. Memos and attachments with agenda. Motion accepting staff recommendation needed.)

ACTION: By motion, staff recommendation approved.

(Mgmt. Services to handle)

32. Appointments

ACTION: Res. 81-930 adopted (Bright/Elliott, unan.) appointing the following Modesto Youth Commission members: Carolyn Teixeira, Modesto High School and Robert Hart, Modesto Christian High School, terms to expire 6/1/82; and reappointing Ellen Barton, Beyer High School, Becky Boswell, Davis High School, and Denise Ward, Downey High School, terms to expire 12/1/81.
(P.R. to handle)

MATTERS TOO LATE FOR THE AGENDA

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

ACTION: Res. 81-931 adopted (Lang/Bright, unan.) initiating proceedings for the proposed annexation of inhabited territory designated as Haddon-El Vista Annexation, rescinding Resolution No. 81-904, and setting hearing November 24, 1981, 7:30 p.m..
(Clerk to handle)

ADJOURNMENT

The meeting adjourned at 9:50 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 20, 1981, AT 4:00 P.M. TO BE
ADJOURNED TO WEDNESDAY, OCTOBER 21, 1981, AT 4:00 P.M.

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

Absent: Councilmember Lang

Pledge of allegiance to the Flag

Invocation: Rev. Jack Leathem, Trinity Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 6, 7, 8, 9, 11, 15,
Removed from Consent: 3a, 3b and 14 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27
Dropped from Agenda: 10

ACTION: Siefkin/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

None

MINUTES

CONSENT

2. Approval of the minutes of the October 13, 1981, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. a) Consider new final adoption of Ordinance No. 2085-C.S. which established the Ustick Canal Crossing Benefit Area. There was an error in the legal description. The ordinance has been republished and should now be finally adopted in the corrected form.
(Memo with agenda. Motion adopting needed.)
- b) Final adoption of Ord. No. 2087-C.S., adopting a drainage plan for the Ustick Drainage Area.
(Motion adopting needed.)

ACTION: By motion (Bright/Patterson, unan., Lang absent) items 3a and 3b continued to November 3, 1981 meeting. (Clerk to handle)

BIDS

CONSENT

4. Consider award of contract for renovation of interior lighting at the Modesto Police Department.
(Bids were opened on October 13, 1981, and the low bid of \$6,725, submitted by Wallace Electric is 57% below the engineer's estimate and is considered acceptable. It is, therefore, recommended by the Public Works Department to award the contract to them. Resolution awarding contract to Wallace Electric needed. Estimated cost: \$9,125 (Constr. \$6,725; Eng. \$2,400); funds are budgeted.)

ACTION: Res. 81-932 adopted awarding contract. (P.W. to handle)

CONSENT

5. Consider award of contract for the installation of air ventilation system at downtown automotive garage and relocation of heater at service shop at corporation yard.
(Bids were opened October 13, 1981. The low bid of \$18,977, submitted by Hansen's, Inc., is 26% 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 Hansen's, Inc. needed. Funds are budgeted.)

ACTION: Res. 81-933 adopted awarding contract. (P.W. to handle)

CONSENT

6. Consider award of contract for the construction of Prescott and Snyder canal crossing.
(Bids were opened October 13, 1981. The low bid of \$138,975, submitted by H. Max Lee, Inc. is 23% 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 H. Max Lee, Inc. needed.)

ACTION: Res. 81-934 adopted awarding contract. (P.W. to handle)

CONSENT

7. Consider award of contract for the strengthening of water system at Sunrise and Edison. (Bids were opened on October 13, 1981. The low bid of \$16,328.50, submitted by Joe Martin Pipeline, is 24% 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 Joe Martin Pipeline needed. Funds are budgeted.)

ACTION: Res. 81-935 adopted awarding contract.

(P.W. to handle)

CONSENT

8. Consider award of contract for the extension of waterlines at Franklin and Beech. (Bids were opened on October 13, 1981. The low bid of \$18,996, submitted by Bond Construction Co., is considered acceptable. It is, therefore, recommended by the Public Works Department that the contract be awarded to them. The low bid is 21% below the engineer's estimate. Resolution awarding contract to Bond Construction Co. needed. Funds are budgeted.)

ACTION: Res. 81-936 adopted awarding contract.

(P.W. to handle)

CONSENT

9. Consider approving plans and authorize call for bids to be opened November 24, 1981, at 2:00 p.m. for furnishing six computer terminals. (Requested by the Finance Department's Data Processing Division, the terminals will be distributed to the various departments as authorized by the Data Processing Committee. The terminals will be used to provide direct access and input to the central computer for financial and other management data on a daily basis. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$19,000; funds are budgeted.)

ACTION: Res. 81-937 adopted calling for bids.

(Finance to handle)

WRITTEN COMMUNICATIONS

10. Letter from owners of Vintage Hot Tub Company concerning a proposed new hot tub project. (Letter and staff memo with agenda.)

Dropped from Agenda.

CONSENT

11. Consider application for direct City Assistance from Veterans Commanders Council and Modesto Detachment of the Marine Corps League for Veterans' Day Parade. (Memo with agenda. Resolution approving request needed. Estimated cost: \$345.96; funds are budgeted.)

ACTION: Res. 81-938 adopted approving request.

(P.R. - Police to handle)

11A Request by the Downtown Automobile Dealers Association for permission to close 11th Street between I and J and for use of the first floor of the parking garage for a new car show on Saturday and Sunday, November 7 and 8, 1981.

ACTION: Res. 81-939 adopted (Muratore/Bright, unan., Lang absent) approving request subject to conditions. (P.T. - Police to handle)

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

None

NEW BUSINESS

13. Consider recommendations of Community Housing Revitalization and Rehabilitation Task Force.

(The Task Force recommends four infill strategies for the R-1 zone to permit:

1. Duplex on a vacant corner lot.
2. Second residential unit on a corner lot with a single-family residence.
3. Creation of an efficiency apartment within a single-family residence (no exterior change.
4. Conversion of a guest house to a second residence.

Memo with agenda. The Planning Commission recommends support of "1" only. Motion acknowledging receipt of report and directing staff as to which provisions to pursue in preparation of a Code text amendment needed.)

ACTION: By motion (Elliott/Bright, unan., Lang absent) staff requested to proceed with Items 1 and 2. (Planning to handle)

14. Consider the establishment of new fees and charges for various water services. The fees need to be changed from time to time to reflect the actual cost of the service. The services include such things as water service installation, water meter installations, water connection charges, fire hydrant services, water bill delinquency charges, and fire hydrant installation charges.
(Memo with agenda. Introduction of ordinance amending Code section on Water Rates and Regulations needed, and adoption of resolution establishing new schedule of fees and charges needed.)

ACTION: By motion (Siefkin/Muratore, unan., Lang absent) Ord. 2088-C.S. introduced.
Res. 81-940 adopted (same vote) establishing new schedule of fees and charges.

CONSENT

15. Consider proposed amendment to the Chapter of the Municipal Code which covers subdivision of land. The proposed amendment would specify the procedure for reimbursing subdividers who install improvements of greater size than needed in the subdivision; the added size being necessary to serve adjacent land. (Memo with agenda. Introduction of ordinance needed.)

ACTION: By motion, Ord. 2089-C.S. introduced.

(P.W. to handle)

CONSENT

16. Consider approval of the final map and acceptance of the improvements for Minoa Estates subdivision of the City of Modesto. Subdividers: Steve and Roxanne Kordazakis and John and Kimitra Kordazakis
(All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. An agreement is not needed as the improvements are completed. Minoa Estates is located at the southeast corner of Carver Road and Montclair Drive. It contains 0.619 acre. Resolution approving final map and accepting the improvements needed.)

ACTION: Res. 81-942 adopted approving final map.

(Clerk to handle)

CONSENT

17. Consider approval of the final map of Campus Commons I subdivision of the City of Modesto. The subdivision is a condominium conversion and no agreement is required. Subdividers - Campus Commons I.
(All fees have been paid for this condominium conversion. Campus Commons I is located at the southeast corner of Carpenter Road and Blue Gum Avenue. It contains 4.50 acres. Resolution approving final map needed.)

ACTION: Res. 81-943 adopted approving final map.

(Clerk to handle)

CONSENT

18. Consider approval of the final map of Campus Commons II subdivision of the City of Modesto. The subdivision is a condominium conversion and no agreement is required. Subdividers: Campus Commons II.
(All fees have been paid for this condominium conversion. Campus Commons II is located at the southeast corner of Carpenter Road and Blue Gum Avenue. It contains 4.40 acres. Resolution approving final map needed.)

ACTION: Res. 81-944 adopted approving final map.

(Clerk to handle)

CONSENT

19. Consider approving lease agreement with George Frederickson and Phillip Bravard for the lease of a vacant portion of Fire Station No. 5 for a garden site. (Mr. Frederickson and Mr. Bravard have been leasing this site since 1977. They have been excellent tenants. The new lease is for one year with all other terms remaining the same. Resolution approving lease agreement needed.)

ACTION: Res. 81-945 adopted approving agreement. (P.W. to handle)

CONSENT

20. Consider approving lease agreement with Aloma Lackey for the lease of Parkview Guest Home located at 1343 Legion Park Drive. (This is a renewal of an existing lease. The new lease is for two years. Rent is increased from \$400 per month to \$450 per month. Mrs. Lackey has been renting this facility since 1977 and is an excellent tenant. Resolution approving lease agreement needed.)

ACTION: Res. 81-946 adopted approving agreement. (P.W. to handle)

CONSENT

21. Consider approving amendment to lease agreement with Quadair. (Quadair built and occupies one of the new corporate hangars at the Airport. This amendment changes the indemnification and insurance requirements of the lease. The new requirements have been reviewed by and are acceptable to the City Attorney's office and the Risk Manager. Resolution approving amendment to lease agreement needed.)

ACTION: Res. 81-947 adopted approving amendment to agreement. (P.W. to handle)

CONSENT

22. 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: \$28,571.28; funds are budgeted.)

ACTION: Res. 81-948 adopted approving contract. (Finance to handle)

CONSENT

23. Consider entering an agreement with Cablecom to allow joint usage of the Underground Service Alert (USA) message receiving equipment currently used by the City. (Cablecom will pay \$25 a month to receive USA messages on the printer located in City Hall. Resolution approving agreement with Cablecom needed.)

ACTION: Res. 81-949 adopted approving agreement. (P.W. to handle)

CONSENT

24. Consider proposed policy for lowering flags to half-mast at City facilities.
(Memorandum with agenda. Resolution adopting policy statement needed.)

ACTION: Res. 81-950 adopted adopting policy statement. (Mgmt. Services to handle)

CONSENT

25. Consider amendment to lease agreement with University of California (Cooperative Extension).
(Lease is for community garden site at Lincoln School site. Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 81-951 adopted approving amendment to agreement. (P.W. to handle)

CONSENT

26. Consider amendment to Memo of Understanding between the City of Modesto and Modesto Firefighters Association providing an option for firefighters to choose either the City's health and dental insurance plans or the health and dental insurance plans provided by Federated Firefighters of California.
(Resolution approving amendment to Memorandum of Understanding between the City of Modesto and Modesto City Firefighters Association needed.)

ACTION: Res. 81-952 adopted approving amendment to Memorandum of Understanding.
(Mgmt. Services to handle)

CONSENT

27. Proposed Code text amendment to sign regulations; noncommercial messages (Metromedia v. San Diego).
(The recent U. S. Supreme Court decision (Metromedia v. San Diego) concluded that commercial messages cannot be granted greater rights and protection than noncommercial messages. The memo with the agenda from the Assistant City Attorney recommends an amendment to our sign regulations so that they will be consistent with the current statement of law. Motion referring the matter to the Planning Commission and directing staff to proceed with the Code text amendment needed.)

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


None

30. CLOSED SESSION
(Closed session to discuss property acquisition.)

ADJOURNMENT

The meeting adjourned at 5:25 p.m.

ATTEST:



JUDY C. HALL, Acting City Clerk

Special Meeting
Modesto City Council
October 27, 1981

The City Council held a special meeting, called pursuant to Section 2-1.02 of the Modesto Municipal Code, at 7:30 a.m., October 27, 1981, at Hobo Joe's Restaurant, 1525 McHenry Avenue, Modesto, California.

Present: Councilmembers Bright, Elliott, Lang, Muratore, Patterson

Absent: Councilmembers Siefkin, Mayor Mensinger

The purpose of the meeting was to hold a closed session to discuss a property acquisition matter.

ATTEST;



NORRINE COYLE, City Clerk

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 27, 1981, AT 7:30 P.M.

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

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Mark Randy, The Church of Jesus Christ

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18,
19, 21, 22, 23

ACTION: (Bright/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

Acting Mayor Lang introduced Stan Hodges and Claire Gonsalves, members of the Farm-City Advisory Committee.

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular meeting of the City Council, held October 21, 1981.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

HEARINGS

3. Hearing to consider the appeal of Mid-Valley Engineering on behalf of Jerry Warden to a Board of Zoning Adjustment decision denying a variance to allow a 7-foot high masonry wall along a portion of the Ila Way frontage without a setback, property located at the intersection of Ila Way, Frances Avenue, and Johnson St.

ACTION: By motion (Bright/Siefkin, unan., Mayor Mensinger absent) hearing continued one week to allow staff and appellant to confer on proposed plan.
(Planning to handle)

4. Hearing to consider an amendment to Section 10-2:2006 of the Zoning Ordinance to require a one-year waiting period to refile an application for a variance or conditional use permit that has been denied.

ACTION: By motion (Muratore/Bright, unan., Mayor Mensinger absent) Ord. No. 2090-C.S. introduced.

81
Res./952A adopted (same vote) certifying review of Environmental Assessment.
(Planning/Clerk to handle)

5. Hearing to consider the appeal of Sanders Construction Company to a Board of Zoning Adjustment decision denying an application for a conditional use permit in the H-1 Zone to allow a 35 foot high, 150 square foot freestanding sign to advertise and identify a proposed service station south of the Beckwith over-crossing, between the Freeway 99 off ramp and Sisk Road.

ACTION: Res. 81-953 adopted (Siefkin/Patterson, majority; Bright, Lang-no; Mayor Mensinger absent) denying appeal.
(Clerk to handle)

6. Hearing to consider the appeal of Neighborhood Church to a Board of Zoning Adjustment decision denying an application for an amendment to a conditional use permit to allow a playground expansion to the northerly portion of the child day care center site on the north side of Woodrow Avenue east of Colonial Drive and south of Charleston Avenue.
(A letter from Laurence Martin has been received requesting a continuance of this hearing.)

ACTION: By motion (Muratore/Bright, unan., Mayor Mensinger absent) hearing continued to November 10, 1981, 7:30 p.m.
(Clerk to handle)

BIDS

CONSENT

7. Consider approval of plans and specifications and call for bids for the construction of the airport runway safety area.
(Suggested bid opening: November 17, 1981 at 11:05 a.m. Resolution approving plans and specifications and call for bids needed, and resolution amending the Final Budget for Fiscal Year 1981-82 needed. Estimated cost: \$190,000 (Contr. \$165,000; Eng. & Contg. \$25,000); funds are budgeted.)

ACTION: Res. 81-954 adopted calling for bids.

Res. 81-955 adopted amending the Final Budget for Fiscal Year 1981-82.
(P.W./Finance to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for the construction of Housing Target Area No. 3 curbs, gutter, sidewalks, storm drains -Phase I
(Suggested bid opening: November 17, 1981 at 11:00 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$389,759.73 (Contr. \$338,921.50; Eng. & Cont. \$50,838.23). Funds are budgeted.)

ACTION: Res. 81-956 adopted calling for bids. (P.W. to handle)

CONSENT

9. Consider approving specifications and authorize call for bids to be opened November 17, 1981, at 2:10 p.m., to furnish one new Cummins diesel automotive engine for the Fire Department.
(Requested by the Fire Department, the engine will replace a gasoline engine in a 1965 Van Pelt pumper - Engine #2 at Fire Station #2. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$16,000. Funds are budgeted.)

ACTION: Res. 81-957 adopted calling for bids. (Finance to handle)

CONSENT

10. Consider award of contract for the construction of site improvements at Pump Station No. 14 - Virginia Avenue.
(Bids were opened on October 20, 1981. The low bid of \$7,796, submitted by Chas. I. Cunningham Co. is 11% 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 Chas. I. Cunningham needed. Estimated Cost: \$7,796. Funds are budgeted.)

ACTION: Res. 81-958 adopted awarding contract. (P.W. to handle)

CONSENT

11. Consider acceptance of Lee White Paving Company's contract for Trask Lane reconstruction from Yosemite Blvd. to Haddon Avenue as complete. (Original contract: \$84,559.50)
(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: \$85,643.46. Funds are budgeted.)

ACTION: Res. 81-959 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

12. Letter from Dave Kilby, Executive Vice President of the Modesto Chamber of Commerce regarding industrial development policy.

ACTION: Action delayed for one week.

(Clerk to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

CONSENT

14. Consider acceptance of improvements in West Campus Business Center subdivision as complete and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Subdividers: David and Natalie Hannah, J. A. and Billie Saletta, and Modesto Business Park.
(West Campus Business Center subdivision is located west of Carpenter Road and south of Blue Gum 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. 81-960 adopted accepting improvements as complete.

(Clerk to handle)

CONSENT

15. Consider hiring architect to masterplan a transportation center.
(Memo with agenda. This is first step towards developing plans and specifications. Upon approval of the design, then bidding documents will be prepared. Resolution approving contract with Parsons, Brinckerhoff, Quade and Douglas, Inc. needed. Estimated cost: \$50,000; funds are budgeted.)

ACTION: Res. 81-961 adopted approving contract.

(P.T. to handle)

CONSENT

16. Consider the following:

- a. Withdrawing the Beverly-Harris Annexation from the Burbank-Paradise Fire District.
- b. Set hearing to determine that the public interest and convenience require that the Beverly-Harris Annexation be annexed to the Modesto Municipal Sewer District No. 1.

(The effective date of the Beverly-Harris Annexation is October 13, 1981. Resolution withdrawing annexation from fire district needed, and resolution setting public hearing December 8, 1981 at 7:30 p.m. needed.) (Five affirmative votes needed.)

ACTION: Res. 81-962 adopted setting hearing.

Res. 81-962A adopted withdrawing from Fire District.

(Clerk to handle)

CONSENT

17. Consider applying for Federal Aid Urban (FAU) funds to improve Sylvan Avenue to major street standards.
(Application must be made for \$408,000 in federal funds at the time the environmental assessment is submitted for review and comment. The project is expected to be completed in 1983. Resolution approving Negative Declaration and authorizing City Manager to apply for the FAU funds needed.)

ACTION: Res. 81-963 adopted approving Negative Declaration and authorizing City Manager to apply for funds. (P.W. to handle)

CONSENT

18. Consider applying for Federal Aid Urban (FAU) funds to improve Oakdale Road to major street standards.
(Application must be made for \$774,000 in federal funds at the time the environmental assessment is submitted for review and comment. The project is expected to be completed in 1985. Resolution approving negative declaration and authorizing City Manager to apply for the FAU funds needed.)

ACTION: Res. 81-964 adopted approving Negative Declaration and authorizing City Manager to apply for funds. (P.W. to handle)

CONSENT

19. Consider request for sewer service to property outside City limits at 1706 Eureka Street, located on the east side of Eureka Street between Butte Avenue and Colusa Avenue. Owners: Gary R. and Millie A. Hansen
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to the City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 81-965 adopted approving agreement. (P.W. to handle)

20. Adoption of an ordinance providing for a single-family mortgage revenue bond issue program.
(Bond counsel and staff recommend adoption of an ordinance; his letter and draft with the agenda. In addition, the Council has requested final details on the program before making this commitment; memo with agenda. A representative of Shearson/American Express will be present to respond to questions. Motion introducing an ordinance needed, and motion directing staff to continue proceeding with this bond issue needed.)

ACTION: By motion (Siefkin/Elliott, unan., Mayor Mensinger absent) Ord. No. 2091-C.S. introduced.

By motion (Siefkin/Elliott, unan., Mayor Mensinger absent) staff directed to proceed with work on the bond issue.

(Planning to handle)

CONSENT

21. Consider approving agreement with William R. Mills and Rose E. Mills for the acquisition of .968± square feet of their property on Floyd Avenue. (The Mills have agreed to sell the required right of way for the appraised value of \$2,480. This is the second of 14 parcels being acquired in different areas of the City so that sidewalks can be installed. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 81-966 adopted approving agreement.

(P.W. to handle)

CONSENT

22. Consider approving agreement with Rodney R. and Susan P. Johnson, Paul and Brenda L. Calhoun for the acquisition of 895± square feet of their property on Floyd Avenue. (The grantors have agreed to sell the required right of way for the appraised value of \$2,200. This is the first of 14 parcels being acquired in different areas of the City so sidewalks can be installed. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 81-967 adopted approving agreement.

(P.W. to handle)

CONSENT

23. Consider approving agreement with Allan Thode, M.A.I., for the appraisal of the property being considered for the Downtown Transportation Center. (The staff feels it needs to know the value of the area being considered for the Downtown Transportation Center so it can make a recommendation to Council in regard to the final configuration of the Center. Mr. Thode will provide these services for \$8,000. The values received can then be used in the acquisition of the area decided upon. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 81-968 adopted approving agreement.

(P.T. to handle)

MISCELLANEOUS

24. Appointments

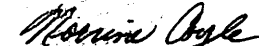
None

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

Acting Mayor Lang directed that a discussion item be placed on the November 3, 1981, agenda concerning the proposed 2-block community center site, bounded by 9th, 11th, K, and L Streets and disposition of the former Lincoln School site.

The meeting adjourned at 9:13 p.m.

ATTEST:


NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 3, 1981, 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. Larry Duncan, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 7, 8, 9, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25

ACTION: (Lang/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 & PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the special meeting of October 27, 1981, and the regular City Council meeting of October 27, 1981.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a) Ord. No. 2088-C.S. relating to water rates and regulations.
- b) Ord. No. 2089-C.S. relating to subdivision of land and specifying the procedure for reimbursing subdividers who install improvements of greater size than needed.
- c) Ord. No. 2090-C.S. requiring one-year waiting period to refile an application for a variance or conditional use permit.
- d) Ord. No. 2091-C.S. providing for a single-family mortgage revenue bond issue.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

4. Further consideration of the request from Dave Kilby, Executive Vice President of the Modesto Chamber of Commerce regarding industrial development policy.

ACTION: By motion (Siefkin/Lang, unan.) the request was referred to the Public Projects Committee.

(Planning to handle)

5. Discussion of acquisition of proposed community center site bounded by 9th, 11th, K and L Streets, and disposition of former Lincoln School site.

a. Former Lincoln School site

ACTION: By motion (Elliott/Patterson, unan.) the following policy was approved:

- a) The Lincoln School site will not be sold or use of the property in any other way committed until the City Council is committed to development of a community center on another site;
- b) When the City Council has committed itself to development of a community center on another site, then the City will either sell or commit the Lincoln School site to uses other than for a community center.
- c) That any proceeds from a sale or other use of the Lincoln School site will be used for the community center.

By motion (Elliott/Patterson, unan.) staff directed to study and make recommendations to the City Council on use of a real estate marketing consultant. (Mgr. to handle)

- b. Proposed community center site
(Mayor Mensinger and Councilmember Siefkin excused due to a conflict of interest.)

ACTION: Res. 81-969 adopted (Elliott/Bright, unan., Mayor Mensinger and Siefkin absent) authorizing the City Manager to sign a letter of understanding and statement of intent with Allen Grant.

Res. 81-970 adopted (Elliott/Bright, unan., Mayor Mensinger and Siefkin absent) approving acquisition agreement to acquire A & D Yamaha property.

Res. 81-970A adopted (Elliott/Bright, unan., Mayor Mensinger and Siefkin absent) approving lease agreement with A & D Yamaha for their use of property.

Res. 81-971 adopted (Elliott/Bright, unan., Mayor Mensinger and Siefkin absent) approving acquisition agreement to acquire Modesto Typewriter property.

Res. 81-971A adopted (Elliott/Bright, unan., Mayor Mensinger and Siefkin absent) approving lease agreement with Modesto Typewriter for their use of property.

Res. 81-972 adopted (Elliott/Bright, unan., Mayor Mensinger and Siefkin absent) approving appropriation transfer in the Special Fund for Capital Outlay: \$1,845,000 from Reserve for Community Center and \$260,000 from Contingency Reserve for Land Acquisition and Capital to Community Center Capital Account.

By motion (Elliott/Bright, unan., Mayor Mensinger and Siefkin absent) it was determined that the City Council would appoint a Blue Ribbon type committee to serve three functions:

- a) A support role;
- b) Assist in methods of financing, should it become necessary;
- c) Work close with the developer to assure community satisfaction.

(Manager to handle)

HEARINGS

6. Continued hearing to consider the appeal of Mid-Valley Engineering, on behalf of Jerry Warden, to a Board of Zoning Adjustment decision denying a variance to allow a 7-foot high masonry wall along a portion of the Ila Way frontage without a setback, property located at the intersection of Ila Way, Frances Avenue, and Johnson Street. (Continued from the October 27, 1981, meeting.)

Mayor Mensinger excused since she was not present during the first part of the hearing.

ACTION: Res. 81-973 adopted (Muratore/Elliott, majority; Patterson, Siefkin - no, Mayor Mensinger absent) granting appeal and overruling Board of Zoning Adjustment decision.
(Clerk to handle)

BIDS

CONSENT

7. Consider approval of plans and specifications and call for bids for Norwegian, Gordon, Tokay Avenue water system strengthening.
(This project will strengthen the water system in the area north of Norwegian and the City area on both sides of Norwegian. This project will also provide water service to Revard Park. Suggested bid opening: November 24, 1981, at 11:00 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$31,711 (Connections by City \$2,500; Eng. & Cong. \$1,441; Contract \$27,770); funds are budgeted.)

ACTION: Res. 81-974 adopted calling for bids. (P.W. to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for replacement of water main - Teresa Avenue and Grape Avenue.
(This project is to replace old steel mains which are almost beyond repair and to complete a 6" loop to a fire hydrant next to Garrison School. Suggested bid opening: November 24, 1981, at 11:05 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$17,000 (Connections by City \$2,755; Engr. \$1,295; Contr. \$12,950); funds are budgeted.)

ACTION: Res. 81-975 adopted calling for bids. (P.W. to handle)

CONSENT

9. Consider calling for bids to modify the traffic signals on Briggsmore at Tully and at College.
(Memo with agenda. Traffic signal modifications for Briggsmore at Tully and at College will provide separate left-turn signals and pedestrian "walk-don't walk" signal. The modification will improve motorist and pedestrian safety at these intersections but will decrease/eliminate traffic progression. Resolution approving plans and specifications and authorizing a call for bids at 2:00 p.m. on December 10, 1981 needed. Estimated cost: \$100,000; funds are budgeted.)

ACTION: Res. 81-976 adopted calling for bids. (P.T. to handle)

CONSENT

10. Consider approval of plans and specifications for the diesel fueling facility at the City service yard.
(Suggested bid opening: November 24, 1981 at 11:10 a.m. This project is to increase diesel fueling capacity and to modify existing regular and unleaded fueling systems to conform with EPA requirements for air quality control. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$32,002.45 (Contract \$30,478.50; Engr. \$1,523.95); funds are budgeted.)

ACTION: Res. 81-977 adopted calling for bids. (P.W. to handle)

CONSENT

11. Consider award of contract for the installation of landscaping and irrigation systems for various water pump stations and one lift station.
(Bids were opened on October 27, 1981. The low bid of \$31,215, submitted by Bibens Nursery Co., is 35% above 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 Bibens Nursery needed. Funds are budgeted.)

ACTION: Res. 81-978 adopted awarding contract.

(P.W. to handle)

CONSENT

12. Consider award of contract for the repiping of the Rose-Celeste lift station.
(Bids were opened on October 27, 1981. The low bid of \$179,079, submitted by Stanislaus Pump, is 14% below the engineer's estimate and is considered acceptable. It is, therefore, recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Stanislaus Pump needed. Funds are budgeted.)

ACTION: Res. 81-979 adopted awarding contract.

(P.W. to handle)

CONSENT

13. Consider waiving formal bid procedures and authorize the purchase of digester cleaning services from National Digester Cleaning Services, Inc. for the total amount of \$21,600.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 81-980 adopted waiving formal bid procedures and authorizing purchase.

(Finance to handle)

CONSENT

14. Consider approving substitution of Stanislaus Pump, Machinery and Construction Corp. as the concrete subcontractor in lieu of C. M. Pace Concrete for the T-Hangar "J" project at the Modesto City-County Airport.
(Due to inability of C. M. Pace and Stanislaus Pump, the prime contractor, to agree on terms of a subcontract for concrete work, Stanislaus Pump is requesting permission to do the concrete work themselves. Memo with agenda. Resolution approving substitution of subcontractor needed.)

ACTION: Res. 81-981 adopted approving substitution of subcontractor.

(P.W. to handle)

WRITTEN COMMUNICATIONS

15. Letter from owners of Vintage Hot Tub Co. concerning a proposed new hot tub project.
(Held over from the October 21, 1981, meeting at Vintage Hot Tub Company's request.)

ACTION: By motion (Elliott/Muratore, unan.) staff requested to draft a policy concerning hot tub businesses.

(Planning to handle)

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

a. Railroad traffic on City streets

Mayor Mensinger excused because of a conflict of interest.

Stan Cushway and Merle Mensinger requested Council action to eventually eliminate unreasonable rail traffic on City streets.

ACTION: By motion (Bright/Siefkin, unan., Mayor Mensinger absent) Council endorsed the four mitigating measures listed in the October 30, 1981, memo from the Parking and Traffic Director. (P.T. to handle)

NEW BUSINESS

CONSENT

17. Consider request for water service to property outside of City limits at 3336-3344 Oakdale Road, located on the east side of Oakdale Road between Floyd Avenue and Sylvan Avenue. Owners: Wayne R., Mary S. and Roy Wayne Hampton. (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. 81-982 adopted approving agreement. (P.W. to handle)

CONSENT

18. Consider approving lease agreement with Joseph DeAnna to lease the former Dr. Anderson property and parts of the former Sommerfeld and Kounias properties, all as part of proposed Dry Creek Park. (Mr. DeAnna has agreed to remove the unwanted trees on these properties in return for two years free rent. Since the trees are to be removed for future park development and would cost in excess of the two year's income to remove, this is a good arrangement for both parties. Resolution approving agreement needed.)

ACTION: Res. 81-983 adopted approving agreement. (P.W. to handle)

CONSENT

19. Consider approving lease agreement with Joseph DeAnna for a portion of the former Kounias property in proposed Dry Creek Park. (This is a renewal of an existing lease for three more years. The rent is \$2,400 per year and is based on the going rate. Mr. DeAnna will also pay the taxes. Resolution approving agreement needed.)

ACTION: Res. 81-984 adopted approving agreement. (P.W. to handle)

CONSENT

20. Consider approving lease agreement with Joseph DeAnna for the lease of a portion of the former Maxwell property in the proposed Dry Creek Park. (This is a renewal of an existing lease for a period of three years with Mr. DeAnna paying \$300 per year rent and the taxes. This is a small irregular shaped property with some drainage problems so the rent is fair. Resolution approving agreement needed.)

ACTION: Res. 81-985 adopted approving agreement. (P.W. to handle)

CONSENT

21. Consider approving fixed base operator lease with Emily B. Gottschalk, dba: Gottschalk Flight Center at the Modesto City-County Airport/Harry Sham Field.
(This is basically a renewal of the old lease for a one-year term. The only changes are that the operator is not being required to have a sales franchise for aircraft or an air taxi service at the operator's request. Resolution approving agreement needed.)

ACTION: Res. 81-986 adopted approving agreement.

(P.W. to handle)

CONSENT

22. Proposed pay station for collection of utility bills.
(A new pay station is proposed at Ernie's Office Supplies, 2900 Standiford Avenue, Modesto. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 81-987 adopted approving agreement.

(Finance to handle)

CONSENT

23. Consider proposed ordinance adding section to Municipal Code regarding interference with Police dogs.
(Copy of proposed ordinance with agenda. Motion introducing ordinance needed.)

ACTION: By motion, Ord. No. 2092-C.S. introduced.

(Clerk to handle)

CONSENT

24. Consider the California-Spencer Annexation to the City of Modesto.
(On October 21, 1981, LAFCO approved this uninhabited annexation which was initiated by a petition of property owners. The annexation proposed is located on the north side of California Avenue between Spencer Avenue and Emerald Avenue. It contains 7.351 acres which includes six single-family dwellings, a church, and a vacant lot. Resolution initiating annexation proceedings and setting date for public hearing on December 8, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-988 adopted setting hearing.

(Clerk to handle)

CONSENT

25. Recommend to Council the vacation and abandonment of Veneman Avenue between M.I.D. Lateral No. 7 and Veneman Avenue North.
(On October 26, 1981, the Planning Commission adopted Res. No. 81-235 recommending to the Council the vacation and abandonment of Veneman Avenue between M.I.D. Lateral No. 7 and Veneman Avenue North. Resolution setting public hearing on November 24, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-989 adopted setting hearing.

(Clerk to handle)

MISCELLANEOUS

26. Appointments

None

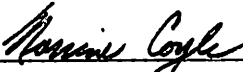
27. MATTERS TOO LATE FOR THE AGENDA
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 6:30 p.m.

ATTEST:



NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 10, 1981, AT 7:30 P.M.

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

Absent: Councilmember Muratore

Pledge of allegiance to the Flag

Invocation: Councilmember Thomas Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 7, 8, 9, 10, 14, 15, 17, 18, 19,
20, 21, 22, 23, 24, 25, 26

ACTION: Siefkin/Lang, unan., Muratore absent

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

1. ACKNOWLEDGEMENTS & PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the November 3, 1981, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Mgr. to handle)

UNFINISHED BUSINESS

3. a) Consider new final adoption of Ordinance No. 2085-C.S. which established the Ustick Canal Crossing Benefit Area. There was an error in the legal description. The ordinance has been republished and should now be finally adopted in the corrected form.
(Motion adopting ordinance needed.) (Held over from October 21, 1981, meeting.)

ACTION: By motion (Lang/Bright, unan., Muratore absent) this item carried over to the
November 17, 1981, meeting. (Clerk to handle)

3. b) Final adoption of Ord. No. 2087-C.S., adopting a drainage plan for the Ustick Drainage Area.
(Motion adopting needed.) (Held over from October 21, 1981, meeting.)

ACTION: By motion (Siefkin/Patterson, unan., Muratore absent) this item carried over to November 24, 1981, meeting. (Clerk to handle)

CONSENT

4. Final adoption of Ord. No. 2092-C.S. relating to interference with Police dogs.
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2092-C.S, adopted. (Clerk to handle)

HEARINGS

5. Hearing to consider appeal of Bright Development to a Planning Commission decision denying an application to rezone from R-1 to P-D for a 360-unit apartment project property located on the south side of Veneman Avenue west of Hahn Drive.

ACTION: Res. 81-990 adopted (Lang/Siefkin, majority, Elliott and Patterson-no, Muratore absent) denying appeal and upholding Planning Commission decision. (Clerk to handle)

6. Continued hearing to consider the appeal of Neighborhood Church to a Board of Zoning Adjustment decision denying an application for an amendment to a conditional use permit to allow a playground expansion to the northerly portion of the child day care center site on the north side of Woodrow Avenue east of Colonial Drive and south of Charleston Avenue.
(This hearing was continued from the October 26, 1981, meeting at the appellant's request.)

ACTION: By motion (Elliott/Lang, unan., Muratore absent) Council indicated its intention to grant the appeal and allow the expansion. (Planning to handle)

BIDS

CONSENT

7. Consider acceptance of Roy Pippin Construction's contract for the construction of bus refueling facility as complete. (Original contract: \$29,993.90)
(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. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$30,455.71; funds are budgeted.)

ACTION: Res. 81-991 adopted accepting work as complete. (Clerk to handle)

CONSENT

8. Consider acceptance of W. Gale Fisher, Inc.'s contract for construction of waterline extension in Lincoln Oak Drive as complete. (Original contract: \$12,470)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$12,858.02; funds are budgeted.)

ACTION: Res. 81-992 adopted accepting work as complete. (Clerk to handle)

CONSENT

9. Consider approving substitution of Lee White Paving Company as the paving subcontractor on the West Trunk Sewer Project as requested by the prime contractor, Western Pipeline. (The originally listed subcontractor, The Flintkote Company, withdrew their quote to Western Pipeline for the work. Therefore, the prime contractor was not able to enter into a subcontract with Flintkote for the work. Memo with agenda. Resolution approving substitution of subcontractor needed.)

ACTION: Res. 81-993 adopted approving substitution of subcontractor. (P.W. to handle)

CONSENT

10. Consider declaring L. N. Curtis and Sons low bidder meeting City specifications and authorize the purchase of replacement fire hose for the total price of \$19,376.80. (Memorandum with agenda. Resoution awarding bid to L. N. Curtis needed. Funds are budgeted.)

ACTION: Res. 81-994 adopted awarding bid. (Finance to handle)

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

None

12. Public Projects Committee recommendations on School Site and Facilities Tax. (Memo with agenda. Adoption of an emergency ordinance needed and introduction of a regular ordinance repealing School Site and Facilities Tax and establishing School Site and Facilities Tax Fund needed.)

Vice Mayor Lang excused due to a conflict of interest.

ACTION: By motion (Patterson/Bright, unan., Lang and Muratore absent) Ord. No. 2093-C.S. adopted repealing School Site and Facilities Tax and creating fund.

By motion (Patterson/Bright, unan., Lang and Muratore absent) Ord. No. 2094-C.S. introduced repealing School Site and Facilities Tax and creating fund.

By motion (Elliott/Siefkin, majority, Patterson-no, Lang and Muratore absent) Public Projects Committee report accepted.

Res. 81-995 adopted (Elliott/Bright, majority, Patterson-no, Lang and Muratore absent) approving use of School Site and Facilities Tax funds for expansion of Modesto High School. (Planning/Finance to handle)

13. Selection of underwriter for issuance of multifamily mortgage revenue bonds, desirably this year.

(Memo with agenda. Recommendation that Newman and Associates and First Interstate Bank be selected as underwriters. Motion acknowledging receipt of staff report and directing staff needed; resolution approving a firm for underwriter services needed.)

ACTION: Res. 81-996 adopted (Bright/Lang, unan., Muratore absent) designating Newman and Associates and First Interstate Bank as underwriters.

By motion (Lang/Bright, unan., Muratore absent) action on the resolution concerning the issuance of bonds delayed one week. (Planning to handle)

CONSENT

14. Consider proposed resolution which would establish a filing fee of \$95 for each application for Summary Abandonment of right of way or easement. (Memo with agenda. Resolution setting fees needed.)

ACTION: Res. 81-997 adopted setting fees. (P.W. to handle)

CONSENT

15. Consider adoption of resolution updating the fees which have been established for filing subdivision and parcel maps. (Memo with agenda. Resolution establishing revised fees needed.)

ACTION: Res. 81-998 adopted establishing revised fees for filing subdivision maps.

Res. 81-999 adopted establishing revised fees for filing parcel maps. (P.W. to handle)

16. Consider proposed fee increases for Planning and Community Development applications. (Memo with agenda. Two resolutions adopting fees effective January 4, 1982 needed.)

ACTION: Res. 81-1000 adopted (Elliott/Bright, unan., Muratore absent) rescinding three Council resolutions and adopting new fees (except for closure/abandonment of public rights-of-way)

Res. 81-1001 adopted (Elliott/Bright, unan., Muratore absent) amending Council Resolution No. 69-213 (closure/abandonment). (Planning to handle)

CONSENT

17. Consider approving agreement with Nancy Young for Independent Contractor status. (Letter with agenda. Resolution approving agreement needed.)

ACTION: Res. 81-1002 adopted approving agreement. (Finance to handle)

CONSENT

18. Consider appropriation transfer from Community Development Block Grant loan pool reserve to complete required financing for curbs, gutters, and sidewalks in Housing Maintenance Program Target Area No. 3.
(A call for bids to complete the work in Target Area No. 3 was authorized by the Council on October 27, 1981. The contract award is anticipated in early December. A transfer from the reserve is necessary to provide current year financing for this project which originally had funding approval for the balance of the work in the 1982-83 Capital Improvement Program. Resolution approving appropriation transfer needed. Estimated cost: \$389,760.)

ACTION: Res. 81-1003 adopted approving appropriation transfer. (Finance to handle)

CONSENT

19. Recommend to Council the vacation and abandonment of a portion of the public alley in Block 1405 (G. O. Enterprises).
(On November 2, 1981, the Planning Commission adopted Resolution No. 81-241 recommending to the City Council the vacation and abandonment of a portion of the public alley in Block 1405, extending south from Surrey Avenue, east of Oakdale Road. Resolution setting public hearing December 8, 1981, at 7:30 p.m. needed.)

ACTION: Res. 81-1004 adopted setting hearing. (Clerk to handle)

CONSENT

20. Consider entering an agreement with M.I.D. to permit the discharge of storm water from the Naraghi Lakes development into M.I.D. facilities.
(M.I.D. requires an agreement with the City of Modesto when storm waters are discharged into M.I.D. facilities by the City. The City will own and operate a storm water pump station that discharges storm water from the Naraghi Lakes development into the Caval Drain. Resolution approving agreement with M.I.D. needed.)

ACTION: Res. 81-1005 adopted approving agreement. (P.W. to handle)

CONSENT

21. Consider approving lease agreement with Donald H. and Margaret D. Scott for the lease of a portion of the former Bomberger property - Dry Creek Park.
(The Scotts would like to lease the property paying 20% of the crops grown on the property which consists of peaches and open land. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 81-1006 adopted approving agreement. (P.W. to handle)

CONSENT

22. Consider setting a public hearing before filing a federal transit capital grant application for a new bus maintenance facility.
(Memo with agenda. The grant application requests 80% of the estimated \$3,924,000 cost of the new bus maintenance facility and expanded bus storage yard. Resolution setting public hearing December 15, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-1007 adopted setting hearing. (Clerk to handle)

CONSENT

23. Consider transfer of taxi certificates from Modesto Cab to Red Top Taxi.
(Memo with agenda. Red Top Taxi intends to buy Modesto Cab and combine the fleets.
Resolution consenting to the transfer needed.)

ACTION: Res. 81-1008 adopted consenting to the transfer. (P.T. to handle)

CONSENT

24. Presentation of Financial Statement for October, 1981.
(Copies of report will be presented at meeting. Motion acknowledging receipt of
report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

25. Consider joining in amicus curiae briefs in the following cases:

1. Carman vs. Alvord
2. City of Los Angeles vs. Lyons
3. Davidson vs. City of Westminster

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

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

MISCELLANEOUS

CONSENT

26. Legislation: Staff recommends:

OPPOSING

- a) S. 960, Hazardous Materials Transportation Amendments
- b) S. 1024, Highway Funding Bill

SUPPORTING

- c) H.R. 3210, Highway Funding Bill

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

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

27. Appointments

None

28. MATTERS TOO LATE FOR THE AGENDA

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

None

ADJOURNMENT

Adjourned at 12:10 a.m.

to Monday, November 16, 1981, at 8:00 a.m. at the Sundial Restaurant,
806 McHenry Avenue, Modesto, California for a meeting with Senator John Garamendi
to discuss legislation.

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
November 16, 1981

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, Lang, Muratore, Patterson,
Mayor Mensinger

Absent: Councilmembers Elliott, Siefkin

The Councilmembers met with Senator John Garamendi to discuss various State legislative items of interest to the City of Modesto.

The meeting adjourned at 9:30 a.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 17, 1981, 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. Leon Plante, St. Paul's Episcopal Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 7, 8, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25

ACTION: Siefkin/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 Hazel Pedersen of the Central California Art League.

Two paintings were presented to the Modesto City Council; "New York Fair" by Linda Giambastiani, and "Flowers For Sale" by Theima Moody.

MINUTES

CONSENT

2. Approval of the minutes of the November 10, 1981, regular City Council meeting. (Motion approving needed.)

ACTION: By motion, minutes approved.

UNFINISHED BUSINESS

3. Further consideration of new final adoption of Ord. No. 2085-C.S. which established the Ustick Canal Crossing Benefit Area. (There was an error in the legal description. The ordinance has been republished and should now be finally adopted in the corrected form. Motion adopting needed. Held over from November 10, 1981, meeting.)

ACTION: By motion (Muratore/Lang, unan.) adoption approved.

3A. Further consideration of issuance of multifamily mortgage revenue bonds.
ACTION: Res. 81-1009 adopted (Patterson/Siefkin, unan.) authorizing issuance of multifamily mortgage revenue bonds. (Planning to handle)

4. Consider approval of bond prospectus for single-family mortgage revenue bond issue. (Staff has drafted portions of the bond prospectus dealing with the City and the developers. Copies of the final draft will be distributed to the City Council and staff prior to this meeting. Peer Wedvick and Andy Hall will be present for explanation. Resolution approving the bond prospectus needed.)

ACTION: Res. 81-1010 adopted (Muratore/Bright, unan.) approving preliminary official statement for residential mortgage revenue bonds and authorizing distribution. (Planning to handle)

HEARINGS

5. Hearing to consider Sunnyside No. 2 Annexation to the Modesto Municipal Sewer District No. 1.

ACTION: Res. 81-1011 adopted (Lang/Bright, unan.) annexing Sunnyside No. 2 Annexation to the Sewer District. (Clerk to handle)

6. Hearing to consider Whitmore No. 3 Annexation to the Modesto Municipal Sewer District No. 1.

ACTION: Res. 81-1012 adopted (Bright/Muratore, unan.) annexing Whitmore No. 3 Annexation to the Sewer District. (Clerk to handle)

BIDS

CONSENT

7. Consider waiving formal bid procedures and authorizing the purchase of up to \$12,000 in ammunition products through the California State Cooperative Purchasing Program, for the balance of the 1981-82 Fiscal Year. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase needed.) (Five affirmative votes needed.)

ACTION: Res. 81-1013 adopted waiving formal bid procedures. (Finance to handle)

CONSENT

8. Consider accepting reconstruction of Parking Lot 2, off-site improvements, as complete. (Memo with agenda. The off-site improvements consisted of new exposed aggregate sidewalk, and curb and gutter. The contract was completed without any changes. Resolution accepting contract as complete needed. Estimated cost: \$13,500; funds are budgeted.)

ACTION: Res. 81-1014 adopted accepting as complete. (P.T. to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Request by John Cunningham, Modesto Jaycees for "Run For The Kids" on either privately owned land or Tuolumne River Regional Park. Since Tuolumne River Regional Park was selected, Council action not necessary.

NEW BUSINESS

10. Report on condominium conversion inventory as a part of Urban Growth Policy review. (Councilmember Patterson, in a memo of November 4, 1981, has requested that the Urban Growth Policy review include data on condominium conversions. The requested information is with the agenda for review by the City Council. Motion directing staff needed.)

ACTION: By motion (Lang/Siefkin, unan.) staff directed to prepare quarterly report containing condo conversion information contained in report dated 11/10/81, and if feasible, number of units sold to investors and remaining rentals, number of units sold to renters and range of sale prices occurring as suggested by Dennis Wilson, Mid Valley Engineering. (Planning to handle)

CONSENT

11. Consider amending Municipal Code airport insurance requirements. (Staff has been working with the Airport Advisory Committee, airport users, and representatives of the insurance industry to revise and update airport insurance requirements. Updated sections of the Municipal Code have been drafted and are now ready for Council adoption. Memo with agenda. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 2095-C.S. introduced. (Clerk to handle)

CONSENT

12. Consider approval of memorial display of a military aircraft at Modesto City-County Airport.
(It is proposed that a military aircraft be mounted for display purposes adjacent to the new entrance road to the Modesto City-County Airport Terminal. The purpose of the display is to honor all airmen from the Modesto/St Stanislaus County area who have served in the military services of the United States. The aircraft would be provided by the military, and the Modesto Rotary Club has agreed to sponsor the project. Memo with agenda. Resolution approving installation of aircraft needed.)

ACTION: Res. 81-1015 adopted approving installation of aircraft. (P.W. to handle)

13. Consider approval of the final map of the Oakbrook subdivision of the City of Modesto. Subdividers: Oakbrook Associates Incorporated.
(This subdivision is a conversion of an apartment complex and no agreement is required. All fees have been paid for this condominium conversion. Oakbrook is located on the south side of Scenic Drive, east of Rose Avenue. It contains 7.377 acres. Resolution approving final map needed.)

Councilmember Patterson excused due to a conflict of interest.

ACTION: Res. 81-1016 adopted (Lang/Bright, unan., Patterson absent) approving final map. (Clerk to handle)

CONSENT

14. Consider approving lease agreement with Joe DiAnna for the lease of a portion of the former Simms property which was purchased for Dry Creek Park.
(Mr. DiAnna will lease the subject property of \$1,300 per year for 3 years. He will also pay the taxes. Resolution approving agreement needed.)

ACTION: Res. 81-1017 adopted approving agreement. (P.W. to handle)

CONSENT

15. Consider approving lease agreement with Joe DiAnna for the lease of the former Hogin property and part of the former Crismon property which were purchased for Dry Creek Park. (Mr. DiAnna will lease the subject property for \$1,800 per year for 3 years. He will also pay the taxes. Resolution approving agreement needed.)

ACTION: Res. 81-1018 adopted approving agreement.

(P.W. to handle)

CONSENT

16. Consider approving lease agreement with W. P. Wesson, Jr., for the lease of the former W. P. Wesson, Sr., property which was acquired for N.W. McHenry Park site. (This is a renewal of an existing lease for 1 year. Mr. Wesson will pay the taxes and maintain this 2.66± acre property which cannot be leased to anyone else because of its size and location. Resolution approving agreement needed.)

ACTION: Res. 81-1019 adopted approving agreement.

(P.W. to handle)

CONSENT

17. Consider authorizing the City to apply for and accept if offered a grant from the California Energy Commission to perform a feasibility study for the construction of a cogeneration plant to be located adjacent to the Wastewater Treatment Plant. Also, consider authorizing the City to enter negotiations with Gibbs & Hill as the consultant for the project. (Memo with agenda. Resolution authorizing grant application and acceptance of grant needed, and motion authorizing staff to start negotiations with consultant needed. Estimated cost: \$20,000 plus grant; funds are budgeted.)

ACTION: Res. 81-1020 adopted authorizing grant application and acceptance of grant.

By motion, staff authorized to start negotiations with consultant. (P.W. to handle)

CONSENT

18. Consider application for funding for Career Criminal Apprehension Program. (Memo with agenda. Resolution approving application needed.)

ACTION: Res. 81-1021 adopted approving application.

(Police to handle)

CONSENT

19. Consider County referral of open space contract - No. 82-3790, Olen and Lila Meadows, 1595 Ohio Avenue on the west side of Ohio at Waverly Drive. (Memo with agenda. Resolution expressing recommendation of opposition needed.)

ACTION: Res. 81-1022 adopted expressing recommendation of opposition. (Planning to handle)

CONSENT

20. Consider the following pertaining to the Carpenter Road No. 3 Annexation:

1. Approval of LAFCO Questionnaire indicating no opposition to annex.
2. Declaration of extenuating circumstances to allow independent negotiation of property tax allocation under provisions of City-County agreement.

(Memo and map with agenda. Resolution responding favorably to proposed annexation needed, and resolution declaring existence of extenuating circumstances pertaining to property tax negotiation needed.)

ACTION: Res. 81-1023 adopted approving LAFCO Questionnaire.

Res. 81-1024 adopted declaring existence of extenuating circumstances pertaining to property tax negotiation. (Clerk/Planning to handle)

CONSENT

21. 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 the properties, the owners, and the respective costs is listed. Resolution setting hearing December 8, 1981, at 7:30 p.m. needed.)

- a. Curb & sidewalk at 1135 E. Orangeburg Avenue, a portion of Block 1185. (Ayres & Parker - \$2360.00)
- b. Sidewalk at 1105 East Fairmont Avenue, Lot 13 of Block 1071. (Margie D. Brazil - \$310.00)
- c. Curb and sidewalk at 1411 Sunrise Avenue, a portion of Block 1194. (Rita Candlish - \$972.00)
- d. Sidewalk along Scenic Drive at 2901 Scenic Drive, a portion of Block 1500. (Patrick W. Clark - \$810.00)
- e. Sidewalk along Lucern Avenue at 553 Esgar Avenue, Lot 14 of Block 1002. (Floyd E. Ebberts - \$630.00)
- f. Curb and sidewalk along Lucern Avenue at 545 Hunter Avenue, Lot 1 of Block 1003. (Benjamin F. Fox - \$1036.00)
- g. Sidewalk along E. Fairmont Avenue at 930 E. Fairmont Avenue, Lot 14 of Block 635. (William E. Holden - \$395.00)
- h. Curb and sidewalk along Lucern Avenue, at 548 Castle Avenue, Lots 1 and 2 of Block 604. (Hines & Hines - \$1250.00)

- i. Sidewalk at 906 E. Fairmont Avenue, Lot 11 of Block 635.
(Gary W. Holmes - \$370.00)
- j. Sidewalk at 1116 Allen Drive, Lot 5 of Block 1115.
(Hough & Hough - \$280.00)
- k. Curb and sidewalk along Lucern Avenue at 545 Castle Avenue,
Lots 47 & 48 of Block 604. (Richard T. Humbert - \$1260.00)
- l. Curb and sidewalk at 104-112 Trask Lane, a portion of Block 2401.
(Raymond L. Maderos - \$8311.00)
- m. Curb and sidewalk along Trask Lane at 2301 Yosemite Blvd., a
portion of Block 2265. (Norman Quigley - \$3601.00)
- n. Sidewalk at 1343-1347 McHenry Avenue, a portion of Block 6000-A.
(Homer J. Sergis - \$2160.00)
- o. Sidewalk at 114 Drake Avenue, a portion of Block 1192.
(Leon R. Sharp - \$910.00)
- p. Sidewalk along Ramona Avenue and curb and sidewalk along Lucern
Avenue at 545 Ramona Avenue, Lot 48 of Block 605. (Carol A. Silvas -
\$1493.00)
- q. Sidewalk along E. Coolidge Avenue and Rose Avenue at 1501 Rose
Avenue, Lot 2 of Block 1204. (Samuel C. Smith - \$1348.00)
- r. Curb along Trask Lane at 2337 Dora Street, Lot 20 of
Block 2268. (Danette Strzala - \$1124.00)
- s. Sidewalk along E. Coolidge Avenue and Queens Avenue at
1721 E. Coolidge Avenue, a portion of Block 1204. (Elmer
Teel - \$1020.00)
- t. Sidewalk at 902 E. Fairmont Avenue, Lot 10 of Block 635.
(Raymond J. Tunkel - \$310.00)
- u. Sidewalk at 1125 Allen Drive, Lot 7 of Block 1144.
(Dianna Tyler - \$610.00)
- v. Curb and sidewalk along Lucern Avenue at 552 Esgar Avenue,
Lot 12 of Block 1003. (John A. Vieira - \$1083.00)
- w. Curb and sidewalk along Lucern Avenue at 1010 Lucern Avenue,
Lot 1 of Block 605. (Avetar Yadegar - \$2118.00)
- x. Sidewalk along Drake Avenue at 1432 McHenry Avenue, a portion
of Block 1192. (Julius M. Ward - \$460.00)
- y. Sidewalk at 1321 McHenry Avenue, a portion of Block 6000-A.
(Jack R. Watson - \$2533.00)
- z. Curb and sidewalk at 1208-1220 E. Orangeburg Avenue, a portion
of Block 1144. (Paul M. Zagaris Realty, Inc. - \$2,365.00)

ACTION Tcs. 01-1025 adopted setting hearing.

(Clerk to handle)

CONSENT

- 22. Consider transfer of \$10,200 in Modesto City-County Airport budget. (Funding to construct temporary access road around the north end of the airport; funding to modify the airport terminal rest rooms; and funding of an airport land appraisal is requested to meet ongoing needs at the Modesto City-County Airport. Memo with agenda. Resolution approving transfer of funds needed.)

ACTION: Res. 81-1026 adopted approving transfer of funds. (Finance to handle)

CONSENT

- 23. Consider approving agreement for installing guard rail on Neece Drive. (Memo with agenda. The Federal Highway Administration will reimburse the City for 86% of the \$29,500 estimated cost under the Safer Off-System road program. Caltrans administers the program. Resolution approving appropriation transfer needed, and resolution approving agreement needed. Estimated cost: \$29,500.)

ACTION: Res. 81-1027 adopted approving agreement.

Res. 81-1028 adopted approving appropriation transfer. (P.T. to handle)

CONSENT

- 24. Consider letter to Civil Aeronautics Board concerning essential air service. (The Civil Aeronautics Board has received proposals from two airlines concerning essential air service to Modesto. Staff has prepared a response for consideration by the CAB in this matter. Draft letter with agenda. Request approval of the draft letter to be sent in final form over the Mayor's signature. Motion authorizing Mayor to send letter needed.)

ACTION: By motion, Mayor Mensinger authorized to send letter. (P.W. to handle)

CONSENT

- 25. Consider authorizing City Manager to negotiate amendments to the agreements with subdividers to provide for installment payment of water connection charges. (Memo with agenda. Resolution establishing installment payment procedure for payment of water connection charges needed.)

ACTION: Res. 81-1029 adopted establishing installment payment procedure for payment of water connection charges. (Finance to handle)

MISCELLANEOUS

- 26. Appointments

None

MATTERS TOO LATE FOR THE AGENDA

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

None

The meeting adjourned at 5:20 p.m.

ATTEST: 
JUDY C. HALL, Acting City Clerk

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 24, 1981, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Lang, Muratore, Patterson,
Siefkin, Mayor Mensinger
(Councilmember Patterson arrived at 8:20 p.m.)
Absent: None

Pledge of allegiance to the Flag

Invocation: Councilmember Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 11, 12, 13, 14, 15, 16, 17, 18,
21, 22, 23, 24, 25

ACTION: Lang/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

None

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular meeting of November 16, 1981, and the regular City Council meeting of November 17, 1981.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Further consideration of the final adoption of Ord. No. 2087-C.S., adopting a drainage plan for the Ustick Drainage Area.
(Motion adopting needed. Held over from November 10, 1981 meeting.)

ACTION: By motion (Elliott/Siefkin, unan., Patterson absent) Ord. No. 2087-C.S. adopted.

(Clerk to handle)

4. Final adoption of Ord. No. 2094-C.S. relating to School Site and Facilities Tax Fund.
(Motion adopting needed.)

Vice Mayor Lang excused due to a conflict of interest.
ACTION: By motion (Siefkin/Elliott, unan., Lang and Patterson absent) Ord. No. 2094-C.S. adopted.

(Clerk to handle)

CONSENT

5. Final adoption of Ord. No. 2095-C.S. relating to airport insurance requirements.
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2095-C.S. adopted.

(Clerk to handle)

HEARINGS

6. Hearing to consider increase in Dial-A-Ride fares and to consider changes to the Intracity Transit routing network.

ACTION: By motion (Siefkin/Muratore, unan., Patterson absent) hearing relating to Dial-a-Ride was continued to December 22, 1981, 7:30 p.m. (Clerk to handle)

By motion (Muratore/Siefkin, unan., Patterson absent) route changes approved.
(P.T. to handle)

7. Hearing on proposed Haddon-El Vista Annexation to the City of Modesto.

ACTION: After the hearing was closed, by motion (Elliott/Lang, unan., Patterson absent) a decision was delayed until December 8, 1981, for staff to analyze the results of petitions submitted. (Planning to handle)

8. Hearing to consider the vacation and abandonment of Veneman Avenue between M.I.D. Lateral No. 7 and Veneman Avenue North.

ACTION: By motion (Muratore/Elliott, unan.) Council declared its intention to close Veneman, referred the matter to the County for action, and directed staff to monitor the effect on the neighborhood. (P.W. and P.T. to handle)

9. Hearing to consider paving the residential alley in Block 843 bounded by Tully Road, West Roseburg, Cecil Way, and Notre Dame Avenue (Normandy Park).

ACTION: Res. 81-1030 adopted (Siefkin/Bright, unan.) ordering the work to be done.
(P.W. to handle)

10. Hearing to consider an amendment to P-D(30), property located east of Coffee Road, south of Lucern Avenue, south of Locke, and east of Sunnyside to rezone from R-1 and R-2 to P-D(30). (Stanislaus Medical Building Corporation)

ACTION: By motion (Elliott/Lang, majority, Bright and Siefkin-no) Ord. No. 2096-C.S. introduced.

Res. 81-1031 adopted (same vote) amending P-D(30).

Res. 81-1032 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

CONSENT

11. Consider approving specifications and authorizing call for bids to be opened December 29, 1981, at 2:00 p.m., for furnishing automotive and heavy equipment. (Requested by the Public Works Service Division, the equipment will be permanently assigned to various departments as noted on sheet with agenda. Revenue for the Service Division Fund is derived from equipment rental charges applied to the departments using the equipment. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$508,660. Funds are budgeted.)

ACTION: Res. 81-1033 adopted calling for bids.

(Finance to handle)

CONSENT

12. Consider approving specifications for athletic and recreational equipment and authorizing call for bids to be opened at 2:00 p.m. on December 15, 1981. (The athletic and recreational equipment is used by the Parks and Recreation Department for youth and adult activities in various City leagues, after school programs, and public classes. Resolution approving specifications and authorizing the call for bids needed. Estimated Cost: \$10,000. Funds are budgeted.)

ACTION: Res. 81-1034 adopted calling for bids.

(Finance to handle)

CONSENT

13. Consider awarding contract for upgrading the City Hall air conditioning system to Johnson Controls, Inc. (It is not feasible to advertise for competitive bids. Johnson Controls proposed to complete the work for \$7,726. The Engineer's estimate is \$7,672. Memo with agenda. Resolution authorizing City Manager to sign contract needed. Funds are budgeted.)

ACTION: Res. 81-1035 adopted authorizing City Manager to sign contract. (P.W. to handle)

CONSENT

14. Consider declaring General Electric low bidder meeting City specifications on Items I, II, III, and IV; and authorize the purchase of eight mobile radios, three portable radios, and one pager from the firm for the total price of \$12,449. (Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 81-1036 adopted authorizing purchase.

(Finance to handle)

CONSENT

15. 1) Consider declaring Modesto Ford Tractor sole bidder and authorize the purchase of one maintenance tractor from the firm for the total price of \$10,414. 2) Consider rejecting all bids received for one forklift and authorize new call to be opened December 15, 1981, at 2:15 p.m. (Memorandum with agenda. 1) Resolution authorizing purchase of one maintenance tractor needed; 2) Resolution rejecting bids and authorizing new call for bids for one forklift needed. Estimated cost for forklift - \$25,000; funds are budgeted.)

ACTION: Res. 81-1037 adopted awarding bid to Modesto Ford Tractor for one maintenance tractor.

Res. 81-1038 adopted rejecting bids and authorizing new call for bids for one forklift. (Finance to handle)

CONSENT

16. Consider rejecting all bids received August 18, 1981, at 2:15 p.m. for furnishing one garden refuse packer truck.
(Lowest bidder meeting City specifications could not be determined by staff. Further testing of packing equipment and clearer definition in the specifications is in order prior to receiving new bids. Resolution rejecting all bids received for garden refuse packer truck needed.)

ACTION: Res. 81-1039 adopted rejecting bids.

(Finance to handle)

CONSENT

17. Consider acceptance of Western Pipeline, Inc.'s contract for the construction of the West Trunk Sewer Project - 1980 as complete. (Original contract: \$2,865,010.60). (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; \$2,929,525.07. Funds are budgeted.)

ACTION: Res. 81-1040 adopted accepting work as complete.

(Clerk to handle)

CONSENT

18. Consider acceptance of Valley Asbestos Company's contract to replace apparatus doors at Fire Station No. 1 as complete. (Original contr. & final cost: \$10,615.) (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. Funds are budgeted.)

ACTION: Res. 81-1041 adopted accepting work as complete.

(Clerk to handle)

WRITTEN COMMUNICATIONS

19. Communication from Laurence Martin on behalf of a group of citizens concerning the City's sign ordinance.

ACTION: A motion to postpone compliance with the Sign Ordinance until January 1, 1984, and allow those who anticipate that the new deadline will cause them a hardship to apply to the Board of Zoning Adjustment by July 1, 1982, for an extension of time was withdrawn.

A motion to extend the attrition period two years if sign owners would sign a letter of intent to comply within that period did not receive a second.

By motion (Siefkin/Lang, unan.) staff was directed to prepare options for Council consideration at an informal public hearing, to assist those sign owners with hardships, and the present January 1, 1982 deadline was waived until new provisions are adopted. (Planning to handle)

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

None

NEW BUSINESS

CONSENT

21. Consider approving lease agreement with Kias A. Williams and Gwendolee Williams for the lease of five lots purchased by the City of Ceres, the City of Modesto, and Stanislaus County for Tuolumne River Regional Park.
(The City of Modesto is authorized by the terms of the Tuolumne River Regional Park agreement to lease the TRRP property for a term of one year or less. The subject lease is a one-year lease with the lessee paying the taxes and maintaining the lots. Since the lots are virtually unrentable to anyone else, this arrangement saves money for the City by not having to maintain the lots. Resolution approving agreement needed.)

ACTION: Res. 81-1042 adopted approving agreement.

(P.W. to handle)

CONSENT

22. Consider approving lease agreement with William Blickenstaff and Leonard E. Blickenstaff for the lease of the Woodland Neighborhood Park site.
(The Blickenstaffs will lease the subject property for three years. They will pay the City 25% of the crop value, pay the taxes and maintain the property. Because of the irrigation set-up, only the Blickenstaffs can utilize the property so this is fair for both parties. Resolution approving agreement needed.)

ACTION: Res. 81-1043 adopted approving agreement.

(P.W. to handle)

CONSENT

23. Consider amending the Municipal Code to give Council authority to establish by resolution sewer service rates for public and private schools.
(This amendment to the section of the Code on sewer service rates would be similar to the existing sections of the Code regarding rates for water service. It is desirable that the Council be authorized to set sewer service rates by resolution rather than by amendments to the Code; resolutions facilitate periodic adjustments of rates. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 2097-C.S. introduced.

(Clerk to handle)

CONSENT

24. Consider amendments to Position Classification Plan and resolution establishing salary schedules to amend three existing class specifications and add a new classification of Administrative Assistant at salary range 422.0.
(Memo of explanation with agenda. Resolution amending Position Classification Plan needed, and resolution amending resolution which establishes salaries needed.)

ACTION: Res. 81-1044 adopted revising the Position Classification Plan.

Res. 81-1045 adopted establishing salary schedules and fixing compensation for positions in the City Service.
(Mgmt. Services to handle)

CONSENT

25. Presentation of the Four Year Operating Budget Revenue and Expenditure Forecast for 1981-82 to 1984-85.
(Copies of the forecast will be presented at the meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

26. Appointments

None

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

None

ADJOURNMENT

The meeting adjourned at 12:15 a.m.

ATTEST:



NORRINE COYLE, City Clerk

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 1, 1981, AT 4:00 P.M.

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

Councilmember Muratore arrived at 4:35 p.m.

Absent: Councilmember Patterson, Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Rev. Kathy Hammel, First Christian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 9, 10, 11, 12, 13, 14, 15, 17,

21, 22, 23, 24, 25, 27, 28, 29

Dropped from Agenda: 26

ACTION:(Siefkin/Bright, unan., Muratore, Patterson, and Mayor Mensinger absent)

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

1. ACKNOWLEDGEMENTS & PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the November 24, 1981, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Consider adoption of conditions of approval of day care center playground expansion - Neighborhood Church.
(On November 10, 1981, the City Council, by motion, indicated its intention to grant the appeal of Neighborhood Church to a Board of Zoning Adjustment denial of a Conditional Use Permit amendment to allow the applicant to expand its day care center playground area into the northerly portion of the site at 921 Woodrow Avenue. The staff has prepared conditions of approval, largely the same as previously applied in the original approval by BZA Res. 741 adopted August 25, 1977, and amended by Res. 805 on June 22, 1978. Resolution granting appeal needed.)

ACTION: Res. 81-1046 adopted (Elliott/Bright, unan., Muratore, Patterson, and Mayor Mensinger absent) granting appeal and setting conditions.
356-70 (Clerk to handle)

4. Consider agreement with Allen R. and Carolyn M. Grant regarding the property transactions involved in the development of a Community Center Complex on the Sears site. (On November 3, 1981, the City Council approved a letter agreement with the Grants to commence negotiations of a joint venture Community/Convention Center and a hotel/office building complex on the Sears site. That letter agreement set forth the basic understanding and statement of intent of the City and the Grants. This agreement is the formal implementing agreement for the various property transactions involved. Resolution approving agreement needed.)

Dropped from agenda.

HEARINGS

5. Hearing to consider rezoning from R-1 and H-1 to P-D(320), property located on the east side of McHenry Avenue on the north side of Warren Way, to expand the bowling facility. (Garrard Marsh/Design Concepts)

ACTION: By motion (Siefkin/Elliott, unan., Muratore, Patterson, and Mayor Mensinger absent) Ord. No. 2098-C.S. introduced.
Res. 81-1047 adopted (same vote) approving development plan.
Res. 81-1048 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

6. Hearing to consider rezoning from R-2 to P-D(319), property located on the east side of Coffee Road opposite Morris Avenue to allow a professional office and parking area development. (Bowman, Hughes, Hicks)

ACTION: A motion (Elliott/Bright) to rezone the property was tabled for one week.

By motion (Siefkin/Bright, unan., Muratore, Patterson and Mayor Mensinger absent) this item continued one week,
(Clerk to handle)

7. Hearing to consider an amendment to P-D(125), property located on the south side of Standiford Avenue west of McHenry Avenue to allow a Family Amusement Machine Center. (Bergher)

ACTION: By motion (Elliott/Bright, unan., Patterson, Mayor Mensinger absent) Ord. 2099-C.S. introduced.

Res. 81-1049 adopted (same vote) amending plan and certifying review of Environmental Assessment.
(Clerk/Planning to handle)

8. Hearing to consider an amendment to P-D(176) to allow an office condominium, property located at the northeast corner of Standiford Avenue and Prescott Road. (Barnett/Range Corporation)

ACTION: By motion (Muratore/Bright, majority, Siefkin-no, Patterson and Mayor Mensinger absent) Ord. No. 2100-C.S. introduced.

Res. 81-1050 adopted (same vote) amending plan and certifying review of Environmental Assessment.
(Clerk/Planning to handle)

BIDS

CONSENT

9. Consider declaring Central Valley Equipment low bidder meeting City specifications and authorize the purchase of three turf trucks from the firm for the total price of \$14,453.10.
(Memorandum with agenda. Resolution accepting the bid of Central Valley Equipment needed. Funds are budgeted.)

ACTION: Res. 81-1051 adopted awarding bid.

(Finance to handle)

CONSENT

10. Consider declaring Fuller O'Brien low bidder on Items 1, 2, 3, 5, 6, and 7; Kelly Moore low bidder on Items 4 and 9; and, Sherwin Williams low bidder on Item 8 for the City's annual requirement of maintenance paint.
(Memorandum with agenda. Resolution awarding bid to Fuller O'Brien for Items 1, 2, 3, 5, 6, and 7; to Kelly Moore for Items 4 & 9; and to Sherwin Williams for Item 8 needed. Estimated cost: \$6,000; funds are budgeted.)

ACTION: Res. 81-1052 adopted awarding bid.

(Finance to handle)

CONSENT

11. Consider declaring Bonander Pontiac, Inc. low bidder and authorizing the issuance of one purchase order to the firm for \$16,588.83 for one new Cummins diesel automotive engine for the Fire Department.
(Memorandum with agenda. Resolution awarding bid to Bonander Pontiac, Inc. and authorizing issuance of purchase order needed. Funds are budgeted.)

ACTION: Res. 81-1053 adopted awarding bid.

(Finance to handle)

CONSENT

12. Consider award of contract for the Norwegian, Gordon, Tokay Avenue water strengthening. (Bids were opened on November 24, 1981. The low bid of \$21,248.30, submitted by Clyde Wheeler Pipelines, 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. Resolution accepting bid and awarding contract to Clyde Wheeler Pipelines needed. Funds are budgeted.)

ACTION: Res. 81-1054 adopted awarding bid.

(P.W. to handle)

CONSENT

13. Consider award of contract for the water main replacement at Teresa Avenue and Grape Avenue.
(Bids were opened on November 24, 1981. The low bid of \$9,980, submitted by Clyde Wheeler Pipelines, is 30% 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 accepting bid and awarding contract to Clyde Wheeler Pipelines needed. Funds are budgeted.)

ACTION: Res. 81-1055 adopted awarding contract. (P.W. to handle)

CONSENT

14. Consider award of contract for the Airport runway safety area, ADAP #6-06-0153-09.
(Bids were opened on November 17, 1981. The low bid of \$74,396.50, submitted by Gabe Mendez, Inc. is 55% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department and the Federal Aviation Administration that the contract be awarded to Gabe Mendez, Inc. Resolution awarding contract to Gabe Mendez, Inc. needed. Funds are budgeted.)

ACTION: Res. 81-1056 adopted awarding contract. (P.W. to handle)

CONSENT

15. Consider award of contract for the Housing Target Area 3 - Phase 1.
(Bids were opened on November 17, 1981. The low bid of \$332,891.75, submitted by George Reed, Inc. is 2% 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 George Reed, Inc. needed. Funds are budgeted.)

ACTION: Res. 81-1057 adopted awarding contract. (P.W. to handle)

CONSENT

17. Consider acceptance of Grover Landscaping, Inc.'s contract for the Mancini Park irrigation system as complete. (Original contract and final cost: \$45,246)
(All work on this project has been completed to the satisfaction of the Public Works Department and the Parks and Recreation 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. Funds are budgeted.)

ACTION: Res. 81-1058 adopted accepting work as complete. (Clerk to handle)

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

None

NEW BUSINESS

20. Consideration of findings in support of a decision to eliminate the proposed driveway onto 7th Street, in connection with Setliff Brothers' application for an H-1 use permit for a combination retail store, gas station, and car wash on the southerly corner of 7th Street and Tuolumne Boulevard.
(By Resolution 81-619, the City Council approved a plot plan for a retail store and gas station on the Setliff Brothers property, eliminating a proposed driveway onto 7th Street. Setliff Brothers sought review of the driveway issue in the Superior Court, and the Court has remanded the matter to the Council for findings on this issue. Memo with agenda. Resolution with appropriate findings needed.)

ACTION: Res. 81-1059 adopted (Siefkin/Bright, unan., Patterson and Mayor Mensinger absent) supporting a decision to eliminate the proposed driveway onto 7th Street.
(Atty. to handle)

CONSENT

21. Consider the following pertaining to the Sherwood Forest No. 2 Annexation:
- Approval of LAFCO Questionnaire indicating no opposition to annexation.
 - Declaration of extenuating circumstances to allow independent negotiation of property tax allocation under provisions of City-County agreement.

(Resolution responding favorably to proposed annexation needed, and resolution declaring existence of extenuating circumstances pertaining to property tax negotiation needed.)

ACTION: Res. 81-1060 adopted approving LAFCO Questionnaire indicating no opposition.
Res. 81-1061 adopted declaring extenuating circumstances to allow independent negotiation of property tax allocation. (Planning to handle)

CONSENT

22. Consider approving lease agreement with Joe DiAnna for the lease of portions of the former Maxwell and McClure properties, which are part of future Dry Creek Park. (Mr. DiAnna will generally clean up these properties and remove some old trees in return for 3 years' free rent. He will also pay any taxes. Since the properties do not have any irrigation and are high maintenance areas, this arrangement will be beneficial to both parties. Resolution approving agreement needed.)

ACTION: Res. 81-1062 adopted approving agreement. (P.W. to handle)

CONSENT

23. Consider approving agreement with Leo and Teresa Valdivia for the acquisition of 0.15± acres of their property needed for the Paradise/Ellen to Carpenter project. (The Valdivias have agreed to sell the required right of way for the appraised value of \$3,300. This is the first of seven parcels presently determined to be the City's responsibility on this joint City-County project. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 81-1063 adopted approving agreement.

(P.W. to handle)

CONSENT

24. Consider abandonment of a 10-foot public utility easement in Lot 11, Block 1508, Eastridge No. 6 subdivision, City of Modesto. (The property owner wishes to have the City summarily vacate a 10-foot public utility easement across the rear of his property. The easement in question was dedicated more than five years ago and has not been used. The various utility companies have indicated by letter that they have no objections to the abandonment. Resolution vacating and abandoning public utility easement needed.)

ACTION: Res. 81-1064 adopted vacating and abandoning public utility easement.

(P.W. to handle)

CONSENT

25. Consider acceptance of improvements in Shasta Meadows subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Subdividers: Joaquin Construction Co., Inc.) (Shasta Meadows subdivision is located north of Torrid Avenue between Shasta Avenue and Carpenter Road. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Memo with agenda. Resolution accepting improvements as complete needed.)

ACTION: Res. 81-1065 adopted accepting improvements as complete.

(P.W. to handle)

CONSENT

26. Consider amendment Personnel Rule 13.4(c) regarding advancing vacation leave. (Memorandum with agenda. Resolution amending Personnel Rule 13.4(c) needed.)

Dropped from agenda.

CONSENT

27. Recommend to the City Council an amendment to the Sign Regulations - Non-Commercial Outdoor Advertising Signs. (On November 16, 1981, the Planning Commission adopted Resolution 81-251 recommending to the City Council an amendment to Sections 10-2.3502, 10-2.3503, 10-2.3511, and creating Section 10-2.3512 of the Sign Regulations pertaining to non-commercial outdoor advertising signs. Resolution setting public hearing December 15, 1981, at 4:00 p.m. needed.)

ACTION: Res. 81-1066 adopted setting hearing.

(Clerk to handle)

CONSENT

28. Consider request for sewer service to property outside City limits at 1044 California Avenue, located on the southeast corner of California Avenue and Panama Drive.
Owners: Wilson M. and Bonnie D. Boyd
(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. 81-1067 adopted approving agreement.

(P.W. to handle) '

CONSENT

29. Consider accepting a grant for nine transit buses.
(Memo with agenda. The grant will cover 80% of the \$1,700,000 estimated cost of the nine buses and related equipment. The 20% City share of this project, \$340,000, would be paid from the Local Transportation Fund. Resolution accepting the grant and authorizing the execution of the grant contracts by City Manager needed, and motion placing purchase in 1982-83 C.I.P. needed.)

ACTION: Res. 81-1068 adopted accepting the grant.

By motion, purchase included in 1982-83 Capital Improvement Program.

(P.T./Finance to handle)

MISCELLANEOUS

30. Appointments

None

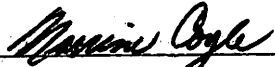
31. MATTERS TOO LATE FOR THE AGENDA
(These may be presented by members of the City Council and staff.)

- a. Final map for Tully Manor North Subdivision condominium conversion.

ACTION: Res. 81-1069 adopted (Elliott/Bright, unan., Patterson, Mensinger absent) approving final map for Tully Manor North Subdivision condominium conversion. (Clerk to handle)

ADJOURNMENT

The meeting adjourned at 5:05 p.m.

ATTEST: 
NORRINE COYLE, City Clerk

12/1/81

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 8, 1981, AT 7:30 P.M.

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

Absent: Councilmember Siefkin, Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Dr. Darrell Huddleston, West Coast Director, Heifer Project International

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 8a, 8b, 8c, 15, 16, 18, 19, 20, 21,
22, 23, 24

ACTION: (Bright/Elliott, unan., Siefkin and Mayor Mensinger absent)

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

1. ACKNOWLEDGEMENTS & PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the December 1, 1981, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Further consideration of Haddon-El Vista Annexation to the City of Modesto.

ACTION: Res. 81-1069A adopted (Muratore/Elliott, unan., Siefkin and Mayor Mensinger absent)
ordering annexation. (Clerk to handle)

4. Further consideration of rezoning from R-2 to P-D(319), property located on the east side of Coffee Road opposite Morris Avenue to allow a professional office and parking area development. (Bowman, Hughes, Hicks)
(A motion (Elliott/Bright) to approve the rezoning was tabled for one week.)

ACTION: By motion (Elliott/Bright, unan., Siefkin and Mayor Mensinger absent) Ord. No. 2101-C.S. introduced.

Res. 81-1070 adopted (same vote) approving plan.

Res. 81-1071 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

5. Further consideration of the vacation and abandonment of a portion of Veneman Avenue west of M.I.D. Lateral No. 7.

(On November 24, 1981, the Council indicated its intention of vacating and abandoning a portion of the Veneman Avenue right of way within the City subject to corresponding Board of Supervisors action affecting a portion of the right of way outside the City. The abandonment will be considered by the Board of Supervisors on December 8, 1981, prior to the City Council meeting. A report on the Board's action will be made at the meeting.)

ACTION: Res. 81-1072 adopted (Muratore/Bright, unan., Siefkin and Mayor Mensinger absent) approving abandonment.
(Planning to handle)

6. Final adoption of Ord. No. 2096-C.S. which amends P-D(30), property located east of Coffee Road, south of Lucern Avenue, south of Locke, and east of Sunnyside to rezone from R-1 and R-2 to P-D(30). (Stanislaus Medical Building Corporation)
(Motion adopting needed.)

ACTION: By motion (Elliott/Muratore, majority, Bright-no, Siefkin and Mayor Mensinger absent) Ord. No. 2096-C.S. adopted.
(Clerk to handle)

7. Final adoption of Ord. No. 2100-C.S. which amends P-D(176) to allow an office condominium, property located at the northeast corner of Standiford Avenue and Prescott Road. (Barnett/Range Corporation)
(Motion adopting needed.)

ACTION: By motion (Elliott/Bright, unan., Siefkin and Mayor Mensinger absent) Ord. No. 2100-C.S. adopted.
(Clerk to handle)

CONSENT

8. Final adoption of the following:

- a) Ord. No. 2097-C.S. amending the Municipal Code to give Council authority to establish by resolution sewer service rates for public and private schools.
- b) Ord. No. 2098-C.S. rezoning from R-1 and H-1 to P-D(320), property located on the east side of McHenry Avenue on the north side of Warren Way, to expand the bowling facility. (Garrard Marsh/Design Concepts)
- c) Ord. No. 2099-C.S. amending P-D(125), property located on the south side of Standiford Avenue west of McHenry Avenue to allow a Family Amusement Machine Center.
(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

12/8/81

9. Consider agreement with Allen R. and Carolyn M. Grant regarding the property transactions involved in the development of a Community Center Complex on the Sears Site. (On November 3, 1981, the City Council approved a letter agreement with the Grants to commence negotiations of a joint venture Community/Convention Center and a hotel/office building complex on the Sears Site. That letter agreement sets forth the basic understanding and statement of intent of the City and the Grants. This agreement is the formal implementing agreement for the various property transactions involved. Resolution approving agreement needed.)

ACTION: Res. 81-1073 adopted (Muratore/Bright, unan., Siefkin and Mayor Mensinger absent) approving agreement. (Atty. to handle)

HEARINGS

10. Hearing to consider the California-Spencer Annexation to the City of Modesto.

ACTION: Res. 81-1074 adopted (Bright/Patterson, unan., Siefkin and Mayor Mensinger absent) annexing California-Spencer Annexation to the City of Modesto. (Clerk to handle)

11. Hearing to consider annexing the Beverly-Harris Annexation to the Modesto Municipal Sewer District No. 1.

ACTION: Res. 81-1075 adopted (Bright/Muratore, unan., Siefkin and Mayor Mensinger absent) annexing Beverly-Harris Annexation to the Sewer District. (Clerk to handle)

12. Hearing to consider vacation and abandonment of a portion of the public alley in Block 1405 which extends south from Surrey Avenue, east of Oakdale Road (G.O. Enterprises).

ACTION: Res. 81-1076 adopted (Elliott/Bright, unan., Siefkin and Mayor Mensinger absent) abandoning portion of public alley. (Clerk to handle)

13. Hearing to consider the appeal of Michael Tedesco, McHenry Station Restaurant, to a decision of the Board of Zoning Adjustment revoking the H-1 conditional use permit for the McHenry Station Restaurant on McHenry Avenue.

ACTION: A motion to not revoke the permit but to set a one-year probationary period to assure that Mr. Tedesco gets into the habit of closing at 10:00 p.m. died for lack of a second.

Res. 81-1077 adopted (Patterson/Lang, unan., Siefkin and Mayor Mensinger absent) granting appeal. (Clerk to handle)

14. Hearing on the cost of construction of curbs and/or sidewalks at the following locations:

- a. Curb and sidewalk at 1135 E. Orangeburg Avenue, a portion of Block 1185.
(Ayres & Parker - \$2360.00)
(Staff recommends payment over a period of 10 years.)

ACTION: Res. 81-1078 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Finance to handle)

- b. Sidewalk at 1105 East Fairmont Avenue, Lot 13 of Block 1071.
(Margie D. Brazil - \$310.00) (Staff recommends payment over a period of 7 years.)

ACTION: Res. 81-1079 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 7 years. (Finance to handle)

- c. Curb and sidewalk at 1411 Sunrise Avenue, a portion of Block 1194.
(Rita Candlish - \$972.00) (Staff recommends payment over a period of 10 years.)

ACTION: Res. 81-1080 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Finance to handle)

- d. Sidewalk along Scenic Drive at 2901 Scenic Drive, a portion of Block 1500.
(Patrick W. Clark - \$810.00) (Staff recommends payment over a period of 10 years.)

ACTION: Res. 81-1081 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Finance to handle)

- e. Sidewalk along Lucern Avenue at 553 Esgar Avenue, Lot 14 of Block 1002.
(Floyd E. Ebbers - \$630.00)
(Staff recommends payment over 10 years.)

ACTION: Res. 81-1082 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Finance to handle)

- f. Curb and sidewalk along Lucern Avenue at 545 Hunter Avenue, Lot 1 of Block 1003. (Benjamin F. Fox - \$1036.00) (Staff recommends payment over a period of 10 years.)

ACTION: Res. 81-1083 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Finance to handle)

- g. Sidewalk along E. Fairmont Avenue at 930 E. Fairmont Avenue, Lot 14 of Block 635. (William E. Holden - \$395.00) (Staff recommends payment over a period of 7 years.)

ACTION: Res. 81-1084 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 7 years. (Finance to handle)

- h. Curb and sidewalk along Lucern Avenue, at ~~548 Castle Avenue~~, Lots 1 and 2 of Block 604. (Hines & Hines - \$1250.00) (Staff recommends payment over a period of 10 years.)
ACTION: Res. 81-1085 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Finance to handle)
- i. Sidewalk at 906 E. Fairmont Avenue, Lot 11 of Block 635. (Gary W. Holmes - \$370.00) (Staff recommends payment over a period of 6 years.)
ACTION: Res. 81-1086 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 6 years. (Finance to handle)
- j. Sidewalk at 1116 Allen Drive, Lot 5 of Block 1115. (Hough & Hough - \$280.00) (Staff recommends payment over a period of 5 years.)
ACTION: Res. 81-1087 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 5 years. (Finance to handle)
- k. Curb and sidewalk along Lucern Avenue at 545 Castle Avenue, Lots 47 & 48 of Block 604. (Richard T. Humbert - \$1260.00) (Staff recommends payment over a period of 10 years.)
ACTION: Res. 81-1088 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Finance to handle)
- l. Curb and sidewalk at 104-112 Trask Lane, a portion of Block 2401. (Raymond L. Maderos - \$8311.00) (Staff recommends payment over 10 years.)
ACTION: Res. 81-1089 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Finance to handle)
- m. Curb and sidewalk along Trask Lane at 2301 Yosemite Blvd., a portion of Block 2265. (Norman Quigley - \$3601.00) (Staff recommends payment over 10 years.)
ACTION: Res. 81-1090 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Finance to handle)
- n. Sidewalk at 1343-1347 McHenry Avenue, a portion of Block 6000-A. (Homer J. Sergis - \$2160.00) (Staff recommends payment over 10 years.)
ACTION: Res. 81-1091 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Finance to handle)
- o. Sidewalk at 114 Drake Avenue, a portion of Block 1192. (Leon R. Sharp - \$910.00) (Staff recommends payment over 10 years.)
ACTION: Res. 81-1092 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Finance to handle)
- p. Sidewalk along Ramona Avenue and curb and sidewalk along Lucern Avenue at 545 Ramona Avenue, Lot 48 of Block 605. (Carol A. Silvas - \$1492.00) (Staff recommends payment over 10 years.)
ACTION: Res. 81-1093 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Finance to handle)

- q. Sidewalk along E. Coolidge Avenue and Rose Avenue at 1501 Rose Avenue, Lot 2 of Block 1204. (Samuel C. Smith - \$1348.00)
(Staff recommends payment over 10 years.)
ACTION: Res. 81-1094 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Finance to handle)
- r. Curb along Trask Lane at 2337 Dora Street, Lot 20 of Block 2268.
(Danette Strzala - \$1124.00)
ACTION: Res. 81-1095 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of payment. (Finance to handle)
- s. Sidewalk along E. Coolidge Avenue and Queens Avenue at 1721 E. Coolidge Avenue, a portion of Block 1204. (Elmer Teel - \$1020.00)
(Staff recommends payment over 10 years.)
ACTION: Res. 81-1096 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Finance to handle)
- t. Sidewalk at 902 E. Fairmont Avenue, Lot 10 of Block 635.
(Raymond J. Tunkel - \$310.00) (Staff recommends payment over 6 years.)
ACTION: Res. 81-1097 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 6 years. (Finance to handle)
- u. Sidewalk at 1125 Allen Drive, Lot 7 of Block 1144.
(Dianna Tyler - \$610.00) (Staff recommends payment over 10 years.)
ACTION: Res. 81-1098 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Finance to handle)
- v. Curb and sidewalk along Lucern Avenue at 552 Esgar Avenue, Lot 12 of Block 1003. (John A. Vieira - \$1083.00) (Staff recommends payment over 10 years.)
ACTION: Res. 81-1099 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Finance to handle)
- w. Curb and sidewalk along Lucern Avenue at 1010 Lucern Avenue, Lot 1 of Block 605. (Avetar Yadegar - \$2118.00) (Staff recommends payment over 10 years.)
ACTION: Res. 81-1100 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Finance to handle)
- x. Sidewalk along Drake Avenue at 1432 McHenry Avenue, a portion of Block 1192.
(Julius M. Ward - \$460.00) (Staff recommends payment over 9 years.)
ACTION: Res. 81-1101 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 9 years. (Finance to handle)
- y. Sidewalk at 1321 McHenry Avenue, a portion of Block 6000-A.
(Jack R. Watson - \$2533.00) (Staff recommends payment over 10 years.)
ACTION: Res. 81-1102 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Finance to handle)
- z. Curb and sidewalk at 1208-1220 E. Orangeburg Avenue, a portion of Block 1144.
(Paul M. Zagaris Realty, Inc. - \$2365.00)
ACTION: Res. 81-1103 adopted (Elliott/Bright, unan., Siefkin, Mayor Mensinger absent) confirming report, assessing costs and directing method of payment. (Finance to handle)

BIDS

CONSENT

15. Consider declaring FMC-Van Pelt low bidder meeting specifications (Option II) and authorize the purchase of one fire pumper truck for the total price of \$158,138.40. (Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 81-1104 adopted authorizing purchase. (Finance/Fire to handle)

CONSENT

16. Consider approving subcontracting the roof repair work involved in the installation of air ventilation system at downtown garage project as requested by the prime contractor, Hansen's, Inc. (The prime contractor overlooked the need for roof repair on this project and consequently failed to list a subcontractor for the work. Hansen's, Inc. does not do roofing work. Memo with agenda. Resolution declaring a public necessity and authorizing Olander & Williams as the roofing subcontractor on the project needed.)

ACTION: Res. 81-1105 adopted approving subcontractor. (P.W. to handle)

17.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Bob High spoke about a problem with his alley and sidewalks and asked about a "Public Notice" posted in his neighborhood.

Raymond Brown asked about fire service to the Whitmore #3 Annexation.

NEW BUSINESS

CONSENT

18. Consider approving a grant application for funds under the Wells Fargo Gamefield Program. The grant (\$2,500) would be used toward the purchase of an Olympic Gamefield Fitness Course. This course would be installed at Downey Community Park. (Memo with agenda. Resolution authorizing application for grant needed. Estimated cost: \$2,000; funds are budgeted.)

ACTION: Res. 81-1106 adopted authorizing application for grant. (P.R. to handle)

CONSENT

19. Resolution approving a grant application for funds under the Wells Fargo Gamefield Program. The grant (\$2,500) would be used toward the purchase of an Olympic Gamefield Fitness Course. This course would be installed at Davis Community Park. (Memo with agenda. Resolution authorizing application for grant needed. Estimated cost: \$2,000; funds are budgeted.)

ACTION: Res. 81-1107 adopted authorizing application for grant. (P.R. to handle)

CONSENT

No. 1

20. Consider acceptance of improvements in Mt. Vernon Plaza subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Subdividers: Mt. Vernon Investment Group (Mt. Vernon Plaza subdivision is located west of Prescott Road at Mount Vernon Drive. 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. 81-1108 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

21. Consider acceptance of improvements in The Vineyard No. 1 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Subdivider: Bright Development (The Vineyard No. 1 subdivision is located at the northwest intersection of Standiford and Tidewater Southern Railroad tracks. 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. 81-1109 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

22. Consider approving an amendment to the lease agreement with Hawke Flying Service, Inc. (Hawke Flying Service has requested that the number of tie-downs in their lease be reduced from 22 to 13. Staff recommends approving this request. Resolution approving amendment needed.)

ACTION: Res. 81-1110 adopted approving amendment to agreement. (P.W. to handle)

CONSENT

23. Consider excusing Mayor Mensinger and Councilmember Patterson for being absent from the December 1, 1981, City Council meeting due to their attending the National League of Cities conference. Motion excusing absence needed.)

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

CONSENT

24. Consider approving a "Request for Proposals" on a motel/restaurant complex at the Modesto City-County Airport/Harry Sham Field. (Staff is recommending that the Council search for a developer willing to build a motel and restaurant at the airport through the proposal process. Memo with agenda. Resolution approving "Request for Proposals" and authorizing staff to issue the request, with the proposals to be submitted on June 8, 1982, needed.)

ACTION: Res. 81-1111 adopted approving request for proposals. (P.W. to handle)

MISCELLANEOUS

25. Appointments

ACTION: Res. 81-1112 adopted (Muratore/Bright, unan., Siefkin, Mayor Mensinger absent) reappointing Lee Hampson to the Board of Governors of the Greater Modesto Community Foundation, term to expire 12/31/86. (Clerk to handle)

MATTERS TOO LATE FOR THE AGENDA

26. (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
NORRINE COYLE, City Clerk

Special Meeting
Modesto City Council
December 14, 1981

The Council of the City of Modesto met at 9:00 a.m., in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

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

Absent: Councilmember Siefkin

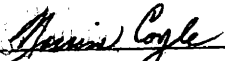
Mayor Mensinger was excused due to a conflict of interest and Acting Mayor Lang presided.

The City Attorney explained the amendment to the agreement with the Grants being considered consisted of a change in the form of security being required. Allen and Carolyn Grant would assign life insurance policies of \$1,000,000 each to the City and would give the City a deed of trust to the property being considered for the community center.

ACTION: Res. 81-1113 adopted (Muratore/Bright, unan., Siefkin and Mayor Mensinger absent) amending the agreement between the City of Modesto and Allen R. and Carolyn M. Grant, concerning formation of a joint venture to construct a community center.

Mr. Grant expressed his appreciation for the flexibility of the City Council and said he felt the project could now move forward.

The meeting adjourned at 9:10 p.m.

ATTEST: 
NORRINE COYLE, City Clerk

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 15, 1981, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
Councilmember Bright arrived at 4:05 p.m. Councilmember Siefkin
Absent: None excused at 5:55 p.m.

Pledge of allegiance to the Flag

Invocation: Rev. Doug Norris, First United Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28

Removed from Consent: 3

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

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

1. ACKNOWLEDGEMENTS & PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the December 8, 1981, regular City Council meeting.
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Final adoption of Ord. No. 2101-C.S. rezoning from R-2 to P-D(319), property on the east side of Coffee road opposite Morris Avenue for a professional office and parking area development (Bowman, Hughes, Hicks).

ACTION: By motion (Lang/Elliott, majority, Siefkin, Mayor Mensinger-no, Bright absent)
Ord. No. 2101-C.S. adopted. (Clerk to handle)

HEARINGS

4. Informal public hearing, Urban Growth Review

ACTION: Res. 81-1114 adopted (Siefkin/Bright, unan.) approving Public Projects Committee's recommendations.
(Planning to handle)

5. Informal hearing on revised plan for service and bus yards.

ACTION: Res. 81-1115 adopted (Lang/Bright, unan.) approving revised site plan and certifying review of environmental assessment.

6. Hearing regarding filing a federal transit capital grant application for a new bus maintenance facility and expanded bus storage yard.

ACTION: Res. 81-1116 adopted (Muratore/Bright, unan.) authorizing filing grant application.

Councilmember Siefkin excused.

7. Hearing on amendment to Sections 10-2.3502, 10-2.3503, 10-2.3511, and creating Section 10-2.3512 of the Sign Regulations pertaining to non-commercial outdoor advertising signs.

ACTION: By motion (Muratore/Lang, unan., Siefkin absent) Ord. No. 2102-C.S. introduced.

Res. 81-1117 adopted (Muratore/Bright, unan., Siefkin absent) certifying review of environmental assessment.
(Clerk/Planning to handle)

8. Hearing to consider rezoning from R-3 to C-2, property located on the north side of Downey east of McHenry (Chalet Motel).

ACTION: By motion (Patterson/Elliott, unan., Siefkin absent) Ord. No. 2103-C.S. introduced.

Res. 81-1118 adopted (Patterson/Elliott, unan., Siefkin absent) certifying review of environmental assessment.
(Clerk/Planning to handle)

9. Hearing to consider rezoning from R-1 to P-D(321), property located north of Elm Avenue and west of Emerald Avenue to allow a 27-unit, one-story condominium project (Lyons Brothers).

ACTION: By motion (Bright/Elliott, unan., Siefkin absent) Ord. No. 2104-C.S. introduced.

Res. 81-1119 adopted (same vote) approving plan.
Res. 81-1120 adopted (Bright/Elliott, unan., Siefkin absent) certifying review of environmental assessment.
(Clerk/Planning to handle)

BIDS

CONSENT

10. Consider approving specifications and authorize call for bids to be opened January 12, 1982, at 2:00 p.m. for furnishing two tractor mowers.
(Requested by the Public Works Service Division, the tractor mowers will be permanently dispatched to the Parks and Recreation Department for mowing parks. The equipment will replace two similar units presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$55,000; funds are budgeted.)

ACTION: Res. 81-1121 adopted calling for bids. (Finance to handle)

CONSENT

11. Consider award of contract for the construction of diesel fueling facility at the City Service Yard.
(Bids were opened on December 1, 1981. The low bid of \$71,752.50, submitted by Egan and Paradiso is 25% above 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 needed. Funds are budgeted.)

ACTION: Res. 81-1122 adopted awarding contract. (P.W. to handle)

CONSENT

12. Consider accepting the 9th Street attendant parking lot improvements as completed.
(Memo with agenda. Improvements consisted of new planters, irrigation and landscaping, and a pavement overlay. There were no change orders. Resolution accepting contract as complete needed. Estimated cost: \$36,500; funds are budgeted.)

ACTION: Res. 81-1123 adopted accepting contract as complete. (Clerk to handle)

CONSENT

13. Consider acceptance of The Flintkote Company's contract for improvements of Scenic Drive at Wycliffe Drive as complete. (Original contract: \$11,595)
(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: \$11,851.84; funds are budgeted.)

ACTION: Res. 81-1124 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

14. Request by Gallo Glass Company requesting abandonment of Willow Street.
(Motion referring to Planning Commission needed.)

ACTION: By motion, request referred to Planning Commission. (Planning 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 proposal by garbage companies (Modesto Disposal Service, Gilton Solid Waste Management, and Orange Line Sanitation) to take over from Ecology Action the curbside recycling program.
(The garbage companies are proposing with the approval of Ecology Action to take over the curbside recycling program in Modesto. They are proposing that this be effective January 1, 1982, that upon taking over the recycling program they will increase the collection frequency to weekly. They are further requesting that the recycling program charge currently earmarked for Ecology Action be paid to them through June, 1982. Memo with agenda. Resolution approving request and authorizing the payment of recycling program charges to the garbage companies through June, 1982, needed.)

ACTION: A motion (Muratore/Lang, majority, Muratore and Lang-no, Siefkin, absent) to approve the Council Garbage Committee's recommendation was amended by a motion (Elliott/Patterson, majority, Lang and Muratore-no, Siefkin, absent) to provide payment to the garbage companies of up to \$5,000 per month through June, 1982.
Res. 81-1125 adopted (Muratore/Lang, majority, Muratore and Lang-no, Siefkin absent) approving the Committee's recommendations except with the monthly payment to the garbage companies to be \$5,000 through June, 1982. (P.W. to handle)

CONSENT

17. Consider rate increase for facilities at the Modesto City-County Airport.
(Staff is recommending a 10% increase in Airport facility fees effective January 1, 1982. This rate adjustment has been reviewed with the Airport Advisory Committee and has received their endorsement. Memo with agenda. Resolution approving rate increase needed.)

ACTION: Res. 81-1126 adopted approving rate increase. (Finance/P.W. to handle)

CONSENT

18. Consider approving agreement with Lyons Investments for the acquisition of 0.11± acres of their property needed for the Paradise/Ellen to Carpenter project.
(Lyons Investments has agreed to sell the required right of way for the appraised value of \$3,250. This is the second of seven parcels presently determined to be the City's responsibility on this joint City-County project. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 81-1127 adopted approving agreement. (P.W. to handle)

12/15/81

CONSENT

19. Consider adoption of two resolutions which set fees for the sale of Municipal Codes, documents, cost of transcripts, and the copying of documents.
(No new fees are involved. The purpose is to rectify discrepancies in two resolutions which had established the fees. Memo with agenda. Two resolutions setting fees needed.)

ACTION: Res. 81-1128 adopted establishing fees and charges for copies of various maps and prints obtained from the City of Modesto.

Res. 81-1129 adopted establishing fees and charges for documents, maps, prints, transcripts, etc., obtained from the City of Modesto. (Clerk/P.W. to handle)

CONSENT

20. Consider the following:

- a. Withdrawing South Airport Annexation from Empire Fire Protection District.
- b. Withdrawing North Airport Annexation from Empire Fire Protection District.
- c. Set hearing January 26, 1982, at 7:30 p.m. to consider annexing South Airport Annexation to Modesto Municipal Sewer District No. 1.
- d. Set hearing January 26, 1982, at 7:30 p.m. to consider annexing North Airport Annexation to Modesto Municipal Sewer District No. 1.

(The effective date for the South and North Airport Annexations to the City of Modesto is December 8, 1981. Resolutions withdrawing from fire district needed, and resolutions setting hearings January 26, 1982, at 7:30 p.m. needed.) (Five affirmative votes needed.)

ACTION: Res. 81-1130 adopted withdrawing South Airport Annexation from Fire District.

Res. 81-1131 adopted withdrawing North Airport Annexation from Fire District.

Res. 81-1132 adopted setting hearing to consider South Airport Annex. to Sewer District.

Res. 81-1133 adopted setting hearing to consider North Airport Annex. to Sewer District.

(Clerk to handle)

CONSENT

21. Consider agreement with consultant, TJKM, for traffic analysis of the proposed Village of Westwood and the R. T. Hughes developments near the Pelandale-Sisk intersection.
(Memo with agenda. Consultant will make a traffic study of the impacts of the development. The study is part of the environmental review and is paid for by the developers. Resolution approving agreement needed. Estimated cost: \$5,400; funds are budgeted.)

ACTION: Res. 81-1134 adopted approving agreement.

(P.T. to handle)

CONSENT

22. Consider approving lease and concession agreement with Reed Leasing and Rental, Inc.
(The new lease is a one year lease with Avis paying the City 10% of its gross revenues instead of 7½%. The lease also calls for changes in parking and eliminates the separate payment for counter space. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 81-1135 adopted approving agreement.

(P.W. to handle)

CONSENT

23. Extension of waiver of sign permit fees; set date for public hearing on two-year sign abatement strategy.
(As a result of the City Council's consideration of nonconforming sign abatement on November 24, 1981, staff recommends an extension of the waiver of sign permit fees from December 1, 1981, to December 31, 1983, and the setting of the date for public hearing on a two-year sign abatement strategy for January 12, 1982, at 7:30 p.m. Memo with agenda. Resolution waiving sign permit fees needed, and resolution setting date for informal hearing needed. Estimated cost in lost revenues: \$20,000. The estimate was provided in May, 1981. Because few businesses have complied, we haven't lost the revenues yet.)

ACTION: Res. 81-1136 adopted waiving sign permit fees.

Res. 81-1137 adopted setting hearing on two-year sign abatement strategy.
(Clerk to handle)

CONSENT

24. Presentation of Financial Statement for November, 1981. (Copies of report will be presented at meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

25. Consider an amendment to the Memorandum of Understanding between the City of Modesto and the Modesto City Employees Association regarding the reclassification and salary study.
(Memorandum with agenda. Resolution approving amendment to Memorandum of Understanding needed.)

ACTION: Res. 81-1138 adopted approving amendment to Memorandum of Understanding.
(Mgmt. Services to handle)

CONSENT

26. Consider Deferred Compensation Committee's recommended changes in deferred compensation plans.
(Memorandum with agenda. Resolution amending the Mandatory Deferred Compensation Plan needed, resolution amending the voluntary Deferred Compensation Plan, and a resolution approving the new form of the voluntary agreement needed.)

ACTION: Res. 81-1139 adopted amending the Mandatory Deferred Compensation Plan.
Res. 81-1140 adopted amending the Voluntary Deferred Compensation Plan.
Res. 81-1141 adopted approving new form of voluntary agreement. (Finance to handle)

CONSENT

27. Consider approval of the final map of Carpenter 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: Valley Oak Development Company
(The subdivision agreement has been signed and all fees paid. Carpenter Plaza is located at the northeast corner of Carpenter Road and Houser Lane. It contains 14.961 acres. Resolution approving final map needed.)

ACTION: Res. 81-1142 adopted approving final map.
(Clerk to handle)

CONSENT

28. Report of Superintendent of Streets on the cost of commercial alley reconstruction Phase II and III at the locations listed by Lot and Block number in the memo with agenda.

(The cost of improving the alleys will be shared, one-third (1/3) by the property owner(s) of the benefited property either in cash or over a three(3) year period; one-third (1/3) by the City of Modesto and one-third (1/3) from the Downtown Improvement District funds. Resolution setting 7:30 p.m., January 12, 1982 for hearing needed.)

ACTION: Res. 81-1143 adopted setting hearing.

(Clerk to handle)

MISCELLANEOUS

29. Appointments

None

MATTERS TOO LATE FOR THE AGENDA

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

a. Air Service

ACTION: Res. 81-1144 adopted (Elliott/Patterson, unan., Siefkin absent) urging the Civil Aeronautics Board to take all actions necessary to restore airline passenger service to Modesto.

ADJOURNMENT

The meeting adjourned at 7:10 p.m.

ATTEST:



NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 22, 1981, 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: Rev. Howard Clarke, Second Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 5, 6, 7, 8, 9, 10, 11, 14, 16,
Dropped from agenda: 26, 27 17, 18, 19, 20, 21, 22, 23, 24, 25, 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 & PRESENTATIONS

Mayor Mensinger announced Rev. Howard Clark had recently been honored for having completed 35 years as pastor of the Second Baptist Church and she expressed appreciation to him for his many activities and service to the community. She also thanked Lynn Muratore for the corsages and boutonnieres which she made for the Councilmembers and staff.

MINUTES

CONSENT

2. Approval of the minutes of the special meeting of December 14, 1981, and the December 15, 1981, 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. 2102-C.S. pertaining to non-commercial outdoor advertising signs.
 - b. Ord. No. 2103-C.S. rezoning from R-3 to C-2, property located on the north side of Downey, east of McHenry. (Chalet Motel)
- (Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

4. Hearing to consider increase in Dial-A-Ride fares. (Continued from November 24, 1981, meeting.)
(Memo with agenda. The City-County Joint Transportation Committee recommends continuing the hearing and leaving the fares unchanged in the interim. Motion continuing the hearing to April 6, 1982, at 4:00 p.m. needed.)

ACTION: By motion (Muratore/Lang, unan.) hearing continued to April 6, 1982, 4:00 p.m.
(Clerk to handle)

BIDS

CONSENT

5. Consider approving specifications and authorize call for bids to be opened January 12, 1982, at 2:10 p.m. for furnishing one traffic signal controller.
(Requested by the Public Works Electrical Division, the traffic signal controller will replace a similar unit at Paradise Road and Sutter. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$15,000; funds are budgeted.)

ACTION: Res. 81-1145 adopted calling for bids. (Finance to handle)

CONSENT

6. Consider approving plans and specifications and calling for bids to seal cracks in the Eleventh Street Parking Garage.
(Memo with agenda. Cracks have opened up in the columns and deck slab, attributed to "curing, shrinkage, and creep due to post-tensioning." This project will seal the cracks with pressure-injected epoxy adhesive. Resolution approving plans and specifications and calling for bids to be opened on Tuesday, January 19, 1982, at 2:00 p.m. needed. Estimated cost: \$8,000; funds are partially budgeted. An appropriation transfer will be requested after the bids are opened and the final amount is known.)

ACTION: Res. 81-1146 adopted calling for bids. (P.T. to handle)

CONSENT

7. Consider awarding a contract to modify the traffic signals on Briggsmore at Tully and at College.
(Memo with agenda. Bids were opened on December 10, 1981, and exceed budgeted funds. The low bidder is Collins Electrical at \$111,711. A transfer of \$17,000 is needed to proceed with the work. Resolution approving appropriation transfer needed, and resolution awarding contract needed. Funds are partially budgeted.)

ACTION: Res. 81-1147 adopted awarding contract.
Res. 81-1148 adopted approving appropriation transfer. (P.T. to handle)

CONSENT

8. Consider acceptance of Lee White Paving Company's contract for extension of Hahn Drive to Veneman Avenue as complete. (Original contract: \$12,587)
(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. Final cost: \$12,011.76; funds are budgeted.)

ACTION: Res. 81-1149 adopted accepting as complete. (Clerk to handle)

CONSENT

9. Consider acceptance of Lee White Paving Company's contract for Standiford Avenue - Tully to McHenry - FAU Project No. M-F 201(3), as complete. (Original contract: \$429,725.50)
(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: \$420,756.09; funds are budgeted.)

ACTION: Res. 81-1150 adopted accepting work as complete. (Clerk to handle)

CONSENT

10. Consider acceptance of Lee White Paving Company's contract for downtown alley reconstruction - Phase III as complete. (Original contract: \$94,979.44)
(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: \$94,590.59; funds are budgeted.)

ACTION: Res. 81-1151 adopted accepting work as complete. (Clerk to handle)

CONSENT

11. Consider an amendment to the City's contract agreement with Western Pipeline on the west trunk sewer project to permit acceptance of the final payment without waiver of a \$53,000 claim, or claims arising out of deductions.
(The project is complete and the retention is due and payable on December 31, 1981. Western Pipeline has requested the amendment to the agreement to allow payment of the retention without forfeiting their right to pursue a \$53,000 claim. Memo with agenda. Resolution approving amendment to agreement needed. (Specification Section 9.5, page 24.) Final cost: \$2,929,525.07; funds are budgeted.)

ACTION: Res. 81-1152 adopted approving amendment to agreement. (P.W. to handle)

WRITTEN COMMUNICATIONS

12. Letter from Louis Levin, representing Kiwanis Club of North Modesto, concerning the City's policy of not permitting fund raising activities in City parks.

ACTION: By motion (Muratore/Siefkin, unan.) the existing policy was modified to allow non-profit groups to hold fund-raising projects on a controlled basis at Beyer, Davis, Downey and Beard Brook Parks on a trial basis. Staff to report back on experience after one year. (P.R. to handle)

13. Appeal on behalf of Lang's Enterprises to a decision of the City's Environmental Review Committee concerning a decision that no environmental impact report be required for the new bus maintenance facility and storage yard.
(Resolution setting hearing January 5, 1982, at 4:00 p.m. needed.)

ACTION: Res. 81-1153 adopted (Bright/Lang, unan.) rescinding Res. 81-1115.
Res. 81-1154 adopted (same vote) rescinding Res. 81-1116.
Res. 81-1155 adopted (same vote) setting hearing January 5, 1982, 4:00 p.m. (Clerk to handle)

CONSENT

14. Request on behalf of Robert Adams for permission to file a late claim.
(Resolution denying request needed.)

ACTION: Res. 81-1156 adopted denying request. (Clerk to handle)

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

None

NEW BUSINESS

CONSENT

16. Consider approving lease agreement with Robert Neugebauer for the lease of 5± acres of future Orchard Neighborhood Park.
(This is a renewal of an existing lease for a six-month term. Mr. Neugebauer will pay the City \$150 for the lease and will pay any taxes. This property cannot be leased to anyone else because of the location. Resolution approving agreement needed.)

ACTION: Res. 81-1157 adopted approving agreement. (P.W. to handle)

CONSENT

17. Consider approving lease agreement with Clinton Ray and Maxine Ray for the lease of a portion of Well No. 2 site.
(This is a renewal of an existing lease. Mr. and Mrs. Ray are leasing a portion of this well site which is not landscaped and has to be maintained by the City. The Rays maintain the property, pay the taxes, and provide their own water. This saves the City maintenance costs. Resolution approving agreement needed.)

ACTION: Res. 81-1158 adopted approving agreement. (P.W. to handle)

CONSENT

18. Consider approval of the City lease agreement with the League of Women Voters for rental of Room 104 in the Modesto Community Service Center.
(The City lease with the League of Women Voters is reviewed annually. The monthly rental will increase from \$95 to \$106 per month. This \$11 increase, \$132 annually, reflects the increased cost of operating the Modesto Community Service Center. Resolution approving lease agreement needed.)

ACTION: Res. 81-1159 adopted approving lease agreement. (P.R. to handle)

CONSENT

19. Consider approval of a temporary lease extension for a portion of the McHenry Museum with Central California Art League.
(Memo with agenda. Resolution approving a temporary lease extension needed.)

ACTION: Res. 81-1160 adopted approving a temporary lease extension. (P.R. to handle)

CONSENT

20. Consider acceptance of improvements in Woodland Estates subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Subdividers: Guarantee Savings and Loan Association)
(Woodland Estates subdivision is located on both sides of Woodland Avenue between Morse Road and Rosemore 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. 81-1161 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

21. Set date for public hearing for proposed Byron-Emerald Annexation.
(On December 9, 1981, LAFCO approved this uninhabited annexation which was initiated by a petition submitted by property owners. The proposed annexation of 1.089 acres, located at the southeast corner of Byron Lane and Emerald Avenue consists of a vacant parcel and two single family homes. Resolution initiating annexation proceedings and setting date for public hearing on January 19, 1982, at 4:00 p.m. needed.)

ACTION: Res. 81-1162 adopted setting hearing. (Clerk to handle)

CONSENT

22. Consider approving appropriation transfer from McHenry Mansion Reserve Account to the McHenry Mansion Restoration Account for the completion of the millwork in the back parlor, library and office/reception rooms.
(Memo with agenda. Resolution approving appropriation transfer needed.)

ACTION: Res. 81-1163 adopted approving appropriation transfer. (Finance to handle)

CONSENT

23. Consider amending Personnel Rule 13.4(c), Advancing Vacation Leave.
(Memorandum with agenda. Resolution amending Personnel Rule 13.4(c) needed.)

ACTION: Res. 81-1164 adopted amending Personnel Rule. (Management Services to handle)

CONSENT

24. Consider LAFCO Questionnaire for the proposed Standiford Avenue No. 3 Governmental Reorganization.

(This proposal is for the purpose of annexing a 60-foot wide strip of land which was inadvertently omitted from a previous annexation. It includes land owned by the Stanislaus County Housing Authority located south of Standiford Avenue, east of Conant Avenue and totals 1.3 acres. Memo, map and questionnaire with agenda. Resolution responding favorably to the proposed annexation needed.)

ACTION: Res. 81-1165 adopted responding favorably to LAFCO Questionnaire. (Planning to handle)

CONSENT

25. Consider authorizing Purchasing Officer to dispose of surplus wood that the City may accumulate from time to time for which it has no use. Surplus wood shall be disposed of by sale, if possible, at the best available market price.
(Memorandum with agenda. Resolution authorizing the disposal of surplus wood needed.)

ACTION: Res. 81-1166 adopted authorizing the disposal of surplus wood. (Finance to handle)

CONSENT

26. Consider authorizing the City of Modesto to submit a preapplication for Request for Determination of Applicant Eligibility - Urban Development Action Grant Program. (UDAG designation would allow persons and families applying for loans under the City of Modesto's proposed Mortgage Revenue Bond Issue to qualify if their income is no more than 150 percent of the median rather than 120 percent. Memo with agenda. Resolution authorizing City to submit preapplication for Urban Development Action Grant program needed.)

Dropped from agenda.

CONSENT

27. Consider authorizing City Manager to execute non-financial agreement with Creative Alternatives, Inc. to provide a work experience opportunity for low income senior citizens.
(Memorandum with agenda. Resolution approving agreement needed.)

Dropped from agenda.

CONSENT

28. Consider amendments to Position Classification Plan and Salary Plan to revise classification of "Industrial Waste Inspector" to "Industrial Waste Inspector II," add a new classification of "Industrial Waste Inspector I," and amend the classification of "Risk Management Technician."
(Memorandum with agenda. Resolution amending Position Classification Plan and resolution amending resolution which establishes salaries needed.)

ACTION: Res. 81-1167 adopted amending Position Classification Plan.
Res. 81-1168 adopted amending salary plan.

(Mgmt. Services to handle)

CONSENT

29. Consider adoption of a resolution consenting to the transfer of CATV Franchise from Cablecom-General of Modesto, Inc., to Cablecom-General, Inc., and then from Cablecom-General, Inc., to Capital Cities Cable of Delaware, Inc.
(This transfer completes the acquisition of Cablecom Capital Cities Communication. Letter and memorandum with agenda. Resolution consenting to transfer of CATV franchise needed.)

ACTION: Res. 81-1169 adopted consenting to transfer of CATV franchise. (Atty. to handle)

MISCELLANEOUS

30. Appointments

(Muratore/Bright, unan.)

ACTION: Res. 81-1170 adopted/reappointing William Vlach to the Board of Building Appeals, term to expire 12/31/85.

Res. 81-1171 adopted reappointing Gordon Hart to the Board of Zoning Adjustment, term to expire 12/31/85. (Same vote)

Res. 81-1172 adopted reappointing Richard Belt to the Culture Commission, term to expire 12/31/85. (Same vote)

Res. 81-1173 adopted reappointing Helen White to the Human Relations Commission, term to expire 12/31/85. (Same vote)

Res. 81-1174 adopted reappointing Balvino Irizarry and Cal Purviance to the Planning Commission, terms to expire 12/31/85. (Same vote)

31.

MATTERS TOO LATE FOR THE AGENDA

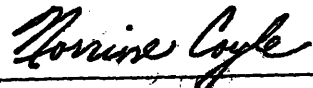
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 8:55 p.m.

ATTEST:



NORRINE COYLE, City Clerk