

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JANUARY 7, 1974 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Simon, Mayor Davies

Absent: None
(Councilman Newton arrived at 4:07 P.M.)

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 5, 7, 8, 9, 19,
Dunlap/Elliott, unan. - Newton, absent 20, 21, 22, 24, 25, 26, 27, 28,
29, 30, 33, 34

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council.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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of December 26, 1973.
(Motion approving needed)

ACTION: By motion, minutes approved.

CONSENT

2. Resignation of John E. Griffin, Jr. (Planning Commission), K. E. Marple (Planning Commission and Board of Zoning Adjustment), and Clifton A. Rooker (Board of Zoning Adjustment).

ACTION: Res. 74-1 adopted accepting resignation of John E. Griffin, Jr., effective December 31, 1973.

Res. 74-2 adopted accepting resignation of K. E. Marple, effective December 31, 1973.

Res. 74-3 adopted accepting resignation of Clifton A. Rooker, effective December 31, 1973. (Clerk to handle)

CONSENT

3. Request of Greater Modesto Council of Churches for termination of agreement for use of Firehouse at 416 Downey Ave.
(Resolution terminating agreement needed)

ACTION: Res. 74-4 adopted terminating agreement. (Clerk to handle)

4. Proposal by Modesto Bee for participation by City of Modesto in the special agriculture, business and industry edition to be published January 25, 1974.

ACTION: By motion (Elliott/Dunlap, unan.) one-half page add approved.
(C/Mgr to handle)

CONSENT

5. Resignations of Howard Neyens and Ross Campbell as members of the Deferred Compensation Committee.
(Resolution accepting needed)

ACTION: Res. 74-5 adopted accepting resignations effective December 31, 1973. (Clerk to handle)

6. Request of Mr. and Mrs. Richard Schneider, dba Silvair Aviation, for permit to operate a rent-a-car franchise at Airport.

ACTION: By motion (Elliott/Kullijian, unan.) intention declared to grant franchise and staff directed to prepare necessary documents for presentation to Council. (P/W to handle)

BIDS

CONSENT

7. Consider approval of plans and specifications and call for bids for drilling, casing, testing, and development of two deep wells for the City of Modesto, Well No. 40, and Well No. 41.
(Suggested bid opening date January 22, 1974 at 10:00 A.M. These wells are needed to provide additional water in areas where residential development has occurred. Well No. 40 is located in property purchased for a park site off Riverside Drive. Well No. 41 is located in property purchased for a park site off East Orangeburg Avenue. Resolution needed. Estimated cost \$17,332.80 (\$16,832.80, Construction; \$500.00, Labor). Funds budgeted in Account 6814-50-101, Pump Sta. E. Orangeburg and 6835-50-101, Pump Sta. Riverside Dr.)

ACTION: Res. 74-6 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

8. Consider award of contract for installation of water lines in "I" Street and Block 131.
(Bids were opened December 27, 1973. The low bid submitted by Robco Construction, which is 22% below the Engineer's Estimate, is considered acceptable. It is therefore recommended that the contract be awarded to them. Resolution needed. Estimated cost \$3,270.40. Funds budgeted in Account 6804-50-101, Waterline Extension)

ACTION: Res. 74-7 adopted awarding contract to Robco Construction.
(P/W to handle)

CONSENT

9. Consider acceptance of Valley Construction Co.'s contract for installation of waterlines in Union Avenue and McHenry Avenue.
(Original contract \$5,000.00. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work needed. Final cost, contract, \$4,936.20. Funds budgeted in Account 6804-50-101, Waterline Extensions)

ACTION: Res. 74-8 adopted accepting contract. (Clerk to handle)

HEARINGS

10. Hearings on cost of construction of sidewalks, etc. 4:00 P.M.
at the following locations:

- (a) Sidewalk at 1148 E. Morris Ave., Lot 4 of Block 1006.
(Vernon L. Foster - \$240.00)
(Payment over a five-year period recommended)

ACTION: Res. 74-9 adopted (Dunlap/Newton, unan.) confirming report, assessing costs and directing method of collection (over a 5-year period). (Finance to handle)

- (b) Sidewalk along Kearney Ave. at 1429 Del Vista Ave.,
Lot 9 of Block 918. (Iva Mae Gause - \$301.00)
(Drop from agenda - already liened)

DROPPED

- (c) Sidewalk along Rouse Ave. at 1511 Rouse Ave., Lot 1 of
Block 2088. (Robert J. Gray - \$241.00)
(Payment over a five-year period recommended)

ACTION: Res. 74-10 adopted (Dunlap/Newton, unan.) confirming report, assessing costs and directing method of collection (over a 5-year period). (Finance to handle)

- (d) Sidewalk along Standiford Ave. at 3413 West Point Drive,
Parcel G of Block 13017. (Glenn H. Kreger - \$547.00)

ACTION: Res. 74-11 adopted (Dunlap/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (e) Sidewalk at 715 Sycamore Ave., North 105.5' - Lot 39 of
Block 711. (Elaine K. McIlree - \$703.75)

ACTION: Res. 74-12 adopted (Dunlap/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (f) Curb and sidewalk along Haddon Ave. and sidewalk along
Rosina at 301 Rosina Avenue, Lot 13 of Block 2131. (Roberta
J. Moore - \$1,160.00)
(Payment over a ten-year period recommended)

ACTION: Res. 74-13 adopted (Dunlap/Newton, unan.) confirming report, assessing costs and directing method of collection (over a 10-year period). (Finance to handle)

- (g) Sidewalk along Miller Ave. at 1705 Miller Ave., Lot 7 of
Block 2132-A. (Rose R. Smith - \$390.80)
(Payment over an eight-year period recommended)

ACTION: Res. 74-14 adopted (Dunlap/Newton, unan.) confirming report, assessing costs and directing method of collection (over an 8-year period). (Finance to handle)

- (h) Sidewalk at 905 W. Roseburg Ave., Lot 9 of Block 6006.
(Francis Stenson - \$232.60)

ACTION: Res. 74-15 adopted (Dunlap/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

11. Hearing on amendment to Section 4-3-9 and 9-3-9 of the zoning map, to repeal P-P-D(75), Lance Ellis Mobile Home Park, Coffee at Mable. 4:00 P.M.

ACTION: Ord. 1309-C.S. introduced (Elliott/Dunlap, una.) amending Sections 4-3-9 and 9-3-9 of the zoning map to repeal P-P-D(75). (Planning to handle)

12. Hearing on amendment to Section 6-4-9 of the zoning map to repeal P-P-D(94). (The Brittany, Paradise Road opposite Mayette Ave.) 4:05 P.M.

ACTION: Ord. 1310-C.S. introduced (Simon/Dunlap, unan.) amending Section 6-4-9 of the zoning map to repeal P-P-D(94). (Planning to handle)

13. Hearing on amendment to Section 32-3-9 of the zoning map to repeal P-D(100), property between Calaveras Ave. and U.S. 99 freeway, north of Tuolumne Blvd. (Phillips) 4:10 P.M.

ACTION: Ord. 1311-C.S. introduced (Simon/Dunlap, unan.) amending Section 32-3-9 of the zoning map to repeal P-D(100). (Planning to handle)

14. Hearing on amendment to Section 9-3-9 and 10-3-9 of the zoning map to repeal P-D's (48), (49), (50), (52), (54), (55), (56), (57, and (58), property located on the north side of Sylvan Road and both sides of Coffee Road. (Berberian) 4:15 P.M.

ACTION: (Councilman Kullijian excused himself from consideration of this item due to a conflict of interest)

Ord. 1312-C.S. introduced (Newton/Elliott, unan. - Kullijian, absent) amending Section 9-3-9 of the zoning map to repeal P-D(48).

Ord. 1313-C.S. introduced (Newton/Elliott, unan. - Kullijian, absent) amending Section 9-3-9 of the zoning map to repeal P-D(49).

Ord. 1314-C.S. introduced (Newton/Elliott, unan. - Kullijian, absent) amending Section 9-3-9 of the zoning map to repeal P-D(50).

Ord. 1315-C.S. introduced (Newton/Elliott, unan. - Kullijian, absent) amending Section 9-3-9 of the zoning map to repeal P-D(52).

Ord. 1316-C.S. introduced (Newton/Elliott, unan. - Kullijian, absent) amending Section 10-3-9 of the zoning map to repeal P-D(54).

Ord. 1317-C.S. introduced (Newton/Elliott, unan. - Kullijian, absent) amending Section 10-3-9 of the zoning map to repeal P-D(55).

Ord. 1318-C.S. introduced (Newton/Elliott, unan. - Kullijian, absent) amending Section 10-3-9 of the zoning map to repeal P-D(56).

Ord. 1319-C.S. introduced (Newton/Elliott, unan. - Kullijian, absent) amending Section 10-3-9 of the zoning map to repeal P-D(57).

Ord. 1320-C.S. introduced (Newton/Elliott, unan. - Kullijian, absent) amending Section 10-3-9 of the zoning map to repeal P-D(58). (Planning to handle)

15. Hearing of appeal by Warner M. Soelling to decision of Planning Commission denying request for rezoning from R-1 to P-D to permit construction of shopping center and office complex at southwest corner of Briggsmore Ave. and Oakdale Road. 4:20 P.M.

ACTION: A motion (Newton/Simon) directing staff to prepare an ordinance to rezone this area failed.
Res. 74-16 adopted (Dunlap/Elliott, maj. - Mensinger, Newton and Simon, no) denying appeal. (Clerk to handle)

16. Hearing of appeal by Cleveland Stockton to Board of Zoning Adjustment denial of variance for a six-foot fence at 818 Encina Ave. 4:25 P.M.

ACTION: (Councilmember Mensinger excused herself from consideration of this item due to a conflict of interest)
By motion (Elliott/Newton, unan.) hearing continued to January 21, 1974 at 4:10 P.M. (Clerk to handle)

17. Continued hearing, request of Cleveland Stockton for permission to construct a six-foot masonry fence in right of way on Encina and Las Palmas Avenues. 4:25 P.M.

ACTION: (Councilmember Mensinger excused herself from consideration of this item due to a conflict of interest)
By motion (Elliott/Newton, unan.) hearing continued to January 21, 1974 at 4:10 P.M. (Clerk to handle)

18. Matters for the good of the community. 4:30 P.M.
(These may be presented by interested persons in the audience)

NONE

UNFINISHED BUSINESS

CONSENT

19. Further consideration of acceptance of Stanislaus Pump and Supply Co.'s contract for construction of Pump Station No. 39.
(Motion continuing for one week needed)

ACTION: By motion, continued to January 14, 1974. (Clerk to handle)

NEW BUSINESS

CONSENT

20. Accept improvements in Lincoln Square Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods.
(Lincoln Square Subdivision is located west of Lincoln Avenue and north of Yosemite Boulevard. All Improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 74-17 adopted accepting improvements. (Clerk to handle)

CONSENT

21. Consider request by Herbert H. Staggs for encroachment permit to allow two ornamental light posts to remain in sidewalk area at 1405 Madrone Drive, Modesto, and setting date for hearing.
(Resolution setting hearing for January 21 at 4:05 P.M. needed)

ACTION: Res. 74-18 adopted setting hearing. (Clerk to handle)

CONSENT

22. Request for permission of City Attorney to attend League of California Cities Institute on Labor Relations in San Diego January 9-11, 1974.
(Motion approving request needed)

ACTION: By motion, request approved. (C/Atty to handle)

CONSENT

23. Notice from P.U.C. that it is investigating natural gas supply and requirements in California.
(Notice with agenda. No action required.)

NO ACTION

CONSENT

24. Consider resolution establishing flat rate water service charges to the Empire Union School District.
(Section 11-1.11 of the Modesto Municipal Code establishes the basis for flat rate charges to Schools. Capistrano School is a K-6 School in the Empire Union School District and the first school in this School District to apply for flat rate water service and therefore a resolution establishing their flat rate charges is in order. Resolution needed)

ACTION: Res. 74-19 adopted establishing charges to Empire Union School District. (P/W to handle)

CONSENT

25. Report of Superintendent of Streets on the cost of installation of curbs and gutters and/or sidewalks at the locations listed below:
- (a) Sidewalk along Encina Ave. at 432 Camellia Way, Lot 18 of Block 2129. (Anthony Barse - \$469.20)
 - (b) Curb at 118 Rosemont Ave., Lots 35 & 36 of Block 327. (Cecil Carter - \$242.50)
 - (c) Sidewalk along Coldwell Ave. at 422 Coldwell Ave., Lot 1 of Block 539. (H. Vincent Elkins, Jr. - \$393.75)
 - (d) Sidewalk along Miller Ave. at 201 Severin Ave., Lot 6 of Block 2127. (Gerald G. Ellis - \$334.00)
 - (e) Sidewalk along W. Roseburg Ave. at 606 W. Roseburg Ave., a portion of Block 738. (Darrell Hattendorf - \$345.00)
 - (f) Drive approach along W. Morris Ave. at 501 Magnolia Ave., Lot 15 and 16 of Block 542. (Frieda Jungerman - \$335.00)
 - (g) Sidewalk at 212 W. Roseburg Ave., a portion of Block 744. (Allan Miller - \$182.00)
 - (h) Sidewalk along Coldwell Ave. at 431 Coldwell Ave., a portion of Block 704. (Martin G. Petersen - \$330.00)
 - (i) Sidewalk at 1819 Miller Ave., Lot 5 of Block 2184. (Raymond B. Pike - \$147.20)
 - (j) Sidewalk along Encina Ave. at 1550 Encina Ave., Lot 1 of Block 2129. (Jerald J. Pitts - \$306.80)
 - (k) Sidewalk along Miller Ave. at 1835 Miller Ave., Lot 1 of Block 2184. (John P. Spearin - \$172.40)
 - (l) Sidewalk along W. Roseburg Ave. at 1201 Brady Ave., Lot 4 of Block 6005. (Donald R. Weakley - \$410.00)
- (Resolution setting 7:35 P.M. on January 28, 1974 for hearings needed. Contract costs listed with properties. Funds budgeted in Account 5302-51-101, Curbs and Gutters Special)

ACTION: Res. 74-20 adopted setting hearings. (P/W to handle)

CONSENT

26. Accept improvements in Eastridge No. 2 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods, and accept one bond for remaining improvements.
(Eastridge No. 2 Subdivision is located east of Sonoma and north of Scenic Drive. All improvements have been completed to the satisfaction of the Public Works Department, or bonded for satisfactory completion, and all fees have been paid. Memo with agenda. Resolution accepting improvements and approving letter agreement and bond to cover possible pavement failures.)

ACTION: Res. 74-21 adopted accepting improvements. (Clerk to handle)

CONSENT

27. Consider the adoption of "Resolution Providing for Notice of Filing of Assessment" (M22-22) - Improvement District No. 22. (Street and alley improvements in FACE Project Area)
(Hearing to be held February 11, 1974 at 8:00 P.M. Resolution needed)

ACTION: Res. 1277-S.P. adopted providing for Notice of Assessment.
(Clerk to handle)

CONSENT

28. Approve agreement with the County for traffic signals at Coffee Road and Lucern Avenue.
(The agreement provides that the city will draw plans and oversee construction of the signals and the City and County will equally share the estimated \$16,000 cost. Resolution approving agreement and Resolution appropriating an additional \$8,000.00 from the General Reserve needed. Estimated cost, \$8,000.00 to City; funds budgeted in Account 6149-56-321, Traffic signals, Coffee-Lucern)

ACTION: Res. 74-22 adopted approving agreement. (Clerk to handle)
Res. 74-23 adopted approving appropriation transfer of \$8,000.00 from Account 60-321 to Account 6149-56-321. (Finance to handle)

CONSENT

29. Consider request of Del Este Water Company to construct new domestic water well on its property between Edgebrook Drive and Encina Avenue at Las Palmas Avenue.
(Memo with agenda. Resolution approving request needed)

ACTION: Res. 74-24 adopted approving request. (P/W to handle)

CONSENT

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

ACTION: Res. 74-25 adopted approving refund of \$2,055.75 to the Handyman Co. (Finance to handle)

REPORTS

31. Report from City-County Transportation Committee regarding additional buses.
(Oral report will be given at meeting. Motion approving recommendations needed)

ACTION: By motion (Mensing/Kullijian, unan.) staff authorized to prepare a preliminary application for grant for three buses. (P & T to handle)

REPORTS FROM THE PLANNING COMMISSION

32. Recommendation from the Planning Commission for the appointment of Fleeta Raines to the Board of Zoning Adjustment as a representative of the Planning Commission.
(At its regular meeting of January 2, 1974, the Planning Commission adopted a resolution recommending to the City Council the appointment of Fleeta Raines to the Board of Zoning Adjustment as a representative of the Planning Commission for one year, her term to expire January 1, 1975. Resolution needed)

ACTION: Res. 74-26 adopted (Simon/Kullijian, unan.) appointing Fleeta Raines to the Board of Zoning Adjustment as the representative of the Planning Commission. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

33. Telephone answering service - Building Inspection.
(Memo with agenda. Motion approving proposal needed. Estimated cost \$345)

ACTION: By motion, proposal approved. (P/W to handle)

CONSENT

34. Consider approval of transfer of \$5,293.00 to Account 5303-51-101, Oil Alleys, from the General Reserve.
(The number of alleys constructed is more than fifty per cent (50%) greater than the number budgeted. Resolution approving transfer needed)

ACTION: Res. 74-27 adopted approving appropriation transfer of \$5,293.00 from Account 60-101 to Account 5303-51-101. (Finance to handle)

MISCELLANEOUS

35. Legislation.

ACTION: By motion (Kullijian/Mensing, unan.) AB 2021 supported.
By motion (Elliott/Dunlap, unan.) AB 857 opposed.
(C/Mgr to handle)

36. Appointments.

NONE

37. Matters too late for the agenda.

ACTION: It was agreed that the Mayor would communicate with City Schools concerning problems for school children who have to go to school in the dark due to Daylight Savings Time.

Reports were made on meetings held in Fresno and Sacramento concerning E.P.A. regulations.

Councilman Kullijian requested information on what has been the result of Council support for or opposition to legislation. It was agreed this would be studied. (C/Mgr to handle)

Adjournment at 6:30 P.M. to January 8, 1974 at 4:00 P.M. for the purpose of discussing Project Greater Modesto recommendations.

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

Modesto City Council
Adjourned Regular Meeting
January 8, 1974

The Council of the City of Modesto met in the Council Chambers, City Hall, 801 11th Street, Modesto, California, at 4:00 P.M. pursuant to adjournment and there were:

Present: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger,
Mayor Davies
Absent: Councilmembers: Newton, Simon

By motion (Dunlap/Mensinger, unan.) the City Attorney was excused from attendance at the meetings held to consider Project Greater Modesto recommendations with the understanding that he would be available if needed.

A letter from Ecology Action Educational Institute concerning local energy conservation was read, together with a letter from American Association of University Women on the subject of low income housing. It was agreed that both of these letters would be considered at the time the appropriate recommendations are discussed.

The discussion centered primarily on various means by which rundown homes or neighborhoods might be improved. Many ideas were expressed but the only action taken was a request that the City Manager contact the Oakland City Manager and obtain as much information as possible concerning a program of this type which is being conducted there.

The meeting was adjourned at 5:30 P.M. to 4:00 P.M. on January 15, 1974.

ATTEST:


W. T. CHYNOWETH, City Clerk

1/8/74

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JANUARY 14, 1974 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Simon, Mayor Davies

Absent: None

Pledge of allegiance to the Flag

Invocation by Reverend Ronald Jackson, North Modesto Free Will Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 4, 5, 6, 7, 8, 9,
Item 4 removed from consent 10, 11, 17, 19, 21, 22, 23, 24,
Simon/Newton, unan. 25, 26

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of January 7, 1974.
(Motion approving needed).

ACTION: By motion, minutes approved.

CONSENT

2. Request of Downtown Improvement District for approval of purchase of 100 Magnolia Russet trees and for appropriation transfer of \$1,575 from Account 61, and \$1,575 from Account 62 for this purpose.
(Motion approving purchase and resolution approving appropriation transfer needed)

ACTION: By motion, approval given to purchase of trees.
Res. 74-28 adopted approving appropriation transfer of \$1,575 from Account 61-218 and \$1,575 from Account 62-218 to Account 5396-218. (Finance to handle)

3. Request of Welfare Rights Organization for use of King-Kennedy Center for annual Christmas dinner.

ACTION: By Order of the Chair, request of Mr. Willetts to continue for two weeks, approved. (Clerk to handle)

~~CONSENT~~

4. Request of W. M. Lyles Co. for permission to use a small portion of the parking area at 800 E. Morris to park equipment for approximately three or four weeks.
(Memo with agenda. Resolution approving agreement needed)

DROPPED FROM AGENDA

BIDS

CONSENT

5. Consider approval of plans and specifications and call for bids for construction of a revised street light circuit on McHenry Ave. between Needham Street and Maynell Avenue.
(Suggested bid opening date January 29, 1974 at 10:00 A.M. (\$8,000 Const., \$500 Engr.). Funds budgeted in Account 6633-41-321, Modernize McHenry St. Light)

ACTION: Res. 74-29 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

6. Consider acceptance of B. J. Rommel's contract for construction of additions to Fire Station No. 5.
(Original contract \$124,890. All work on this project has been completed to the satisfaction of the Fire Department and the Public Works Department. 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 \$125,872. Funds budgeted in Account 6130-41-321, Fire Stn. 5 Construction Addition)

ACTION: Res. 74-30 adopted accepting contract. (Clerk to handle)

CONSENT

7. Accept as complete construction of traffic signals and street lights at Tully and Mt. Vernon. Contract price \$13,960.
(The work has been satisfactorily completed by Collins Electrical Co., Inc. Resolution accepting construction as complete needed. Funds budgeted in Account 6156-56.321, Construction of traffic signals and street lights, Tully and Mt. Vernon)

ACTION: Res. 74-31 adopted accepting contract. (Clerk to handle)

CONSENT

8. Consider acceptance of Industrial Electrical Co., Inc., contract for construction of Improvement District No. 20 facilities.
(All work on the project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file notice of completion. Resolution accepting work as complete needed. Final cost \$124,458.72; contract, \$106,401.50; 1/3 to Imp. Dist. #20; 1/3 to City; 1/3 to M.I.D. Funds budgeted in Account 6622-41-321, Street Light Unlighted Area Stage 3)

ACTION: Res. 1278-S.P. adopted accepting contract. (Clerk to handle)

CONSENT

9. Consider acceptance of Western Pipeline's contract for construction of Improvement District No. 21 Facilities.
(Original contract \$238,762. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete. Resolution accepting work needed. Final contract: \$231,855.50; Incidentals, \$21,235.60. Funds budgeted in Account 6594-212, Improvement District #21, p. 111)

ACTION: Res. 1279-S.P. adopted accepting contract. (Clerk to handle)

CONSENT

10. Consider rejection of bids for construction of Project No. 4 - Curbs, Driveways and Sidewalks at Various Locations.
(Bids were opened December 18, 1973 and the low bid of Harold W. Tuller, which is 28% over the Engineer's Estimate, is not considered acceptable. The Public Works Department has reviewed the bids and we recommend the bids be rejected and the project be revised to a lesser project. Resolution rejecting bids needed. See bid tabulation)

ACTION: Res. 74-32 adopted rejecting bids. (P/W to handle)

CONSENT

11. Consider award of contract for installation of water lines in Martin Avenue, Clayton Ave., Blue Gum and Carpenter Road.
(Bids were opened January 8, 1974. The low bid submitted by Rutan Construction Co., which is 18% below the Engineer's Estimate, is considered acceptable. It is recommended that the bid be awarded to them. Resolution needed. Estimated cost \$32,465. Funds budgeted in Accounts 6804-50-101, Waterline Extension and 6828-50-101, Waterline Strengthening.)

ACTION: Res. 74-33 adopted awarding contract to Rutan Construction Co. (P/W to handle)

HEARINGS

12. Further consideration of revocation of Cablecom-General of Modesto franchise. 7:30 P.M.

ACTION: By motion (Kullijian/Dunlap, unan.) hearing continued to February 25, 1974 at 7:40 P.M. (Clerk to handle)

13. Hearing on adoption of a specific plan for Veneman Ave. 7:35 P.M.

ACTION: Ord. No. 1321-C.S. introduced (Mensingher/Elliott, unan.) approving Alternate "A", which shows alignment of Veneman Avenue as a two-lane collector street with no direct connection to Standiford Avenue. (Clerk to handle)

14. Hearing on proposed wastewater treatment project. 7:40 P.M.

ACTION: An oral report on the status of project was made by John Jenks, consulting engineer.

15. Matters for the good of the community. 7:45 P.M.

NONE

UNFINISHED BUSINESS

16. Further consideration of acceptance of Stanislaus Pump and Supply Co.'s contract for construction of Pump Station No. 39.

ACTION: Res. 74-34 adopted (Simon/Dunlap, unan.) waiving penalty, and accepting contract as complete. (P/W to handle)

NEW BUSINESS

CONSENT

17. Notification of application to the Public Utilities Commission from United Air Lines, Inc., for authority to increase intrastate passenger fares.
(The complete application is on file in the City Clerk's office. Motion ordering filed needed)

ACTION: By motion, application ordered filed.

REPORTS

CONSENT

19. Annual report concerning Greater Modesto Chamber of Commerce Convention Fund.
(Motion ordering filed needed)

ACTION: By motion, report ordered filed.

20. Oral report by members of the Farm-City Advisory Committee about the farm labor situation.
(Members of the Farm-City Advisory Committee will be present at the meeting)

ACTION: Oral report by Mike Berryhill. No action taken.

CONSENT

21. Presentation of financial statement for December 1973.
(Copies of report with agenda. Motion accepting report needed)

ACTION: By motion, report ordered filed.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

22. Vacation and abandonment of the 20-foot public alley in Block 82 of the City of Modesto.
(By Resolution No. 74-4 adopted at its meeting of January 2, 1974, the Planning Commission recommended to the City Council the vacation and abandonment of the 20-foot public alley in Block 82 of the City of Modesto. Resolution of intention to vacate and abandon, and setting February 11, 1974 at 7:40 P.M. for hearing needed)

ACTION: Res. of Int. 344 (1280-S.P.) adopted setting hearing. (Clerk to handle)

CONSENT

23. Vacation and abandonment of a portion of the public utility easement across Lots 22 and 23, Block 12409 of the resubdivisions of a portion of Somerset Park No. 1.
(By Resolution No. 74-2, adopted at its meeting of January 2, 1974, the Planning Commission recommended to the City Council the vacation and abandonment of a portion of the public utility easement across Lots 22 and 23, Block 12409, of the resubdivisions of a portion of Somerset Park No. 1. Resolution of intention to vacate and abandon and setting February 11, 1974 at 7:35 P.M. as time of public hearing needed)

ACTION: Res. of Int. 345 (1281-S.P.) adopted setting hearing. (Clerk to handle)

CONSENT

24. Set date for public hearing for annexation to City of uninhabited territory - McHenry-Standiford Addition. (Approved by LAFC on November 30, 1973. Resolution setting February 25, 1974 at 7:35 P.M. as time of public hearing needed)

ACTION: Res. 74-35 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

25. Appropriation transfer of \$291 from General Fund, General Reserve to Account 458-65-101, City Manager Recruitments. (Because of expenses of some of the candidates, the costs of the recruitment were higher than originally anticipated. Resolution approving appropriation transfer needed)

ACTION: Res. 74-36 adopted approving appropriation transfer of \$291 from Account 60-101 to Account 458-65-101. (Finance to handle)

CONSENT

26. Appropriation transfer. (Memo with agenda. Resolution approving transfer of \$4,236 from General Reserve, General Fund needed)

ACTION: Res. 74-37 adopted approving appropriation transfer of \$4,236 from Account 60-101 to Account 5406-21-101. (Finance to handle)

MISCELLANEOUS

27. Legislation.
(a) Report on S2589 (Energy Emergency Act).

ACTION: None.

(b) Other legislative matters.

None.

28. Appointments.

None.

29. Matters too late for the agenda.

ACTION: Council member Mensinger reported on proposed moving of State Health Care office from Modesto to Fresno. By motion (Mensinger/Elliott, unan.) staff authorized to write letters to State legislators opposing move.

Councilman Elliott reported on recent meeting of Manpower Development Committee of which he has been appointed chairman.

Adjournment at 9:21 P.M. to January 15, 1974 at 7:30 A.M. at the Sun Dial Restaurant for the purpose of meeting with Congressman B. F. Sisk.

ATTEST: Pauline P. Stanley
PAULINE P. STANLEY, Acting City Clerk

Modesto City Council
Adjourned Regular Meeting
January 15, 1974


The Council of the City of Modesto met in adjourned regular session on January 15, 1974 at 7:30 A.M. at the Sun Dial Restaurant, Modesto, California to meet with Congressman B. F. Sisk.

Present: Dunlap, Elliott, Mensinger, Newton, Simon,
Mayor Davies

Absent: Kullijian

There was a general discussion between the council members and Congressman B. F. Fisk regarding various legislative matters.

The meeting adjourned at 9:00 A.M.


W. T. CHYNOWETH
City Clerk

Modesto City Council
Adjourned Special Meeting
January 15, 1974

The Council of the City of Modesto met in special adjourned session on January 15, 1974 at 4:00 P.M. in the Council Chambers, City Hall, to consider the report and recommendations submitted by the project Greater Modesto Committee.

Present: Council members Dunlap, Elliott, Kullijian, Mensinger,
Mayor Davies

Absent: Councilmen Newton, Simon

Mayor Davies reported briefly on an adjourned regular council meeting held at the Sun Dial Restaurant January 15, 1974 at 7:30 A.M. to meet with Congressman B. F. Sisk. Among the matters discussed was further federal funding to implement the F.A.C.E. program and low cost housing. He promised to help.

A report and sketch prepared by the Planning Department concerning the F.A.C.E. target area, indicating the 16½ blocks not yet rehabilitated in the original 21½ block area, was submitted to the Council by Lamar Bartholomew. Possible grants and loans were discussed. The report was reviewed and various recommendations made by the Council on procedures to follow on furthering housing rehabilitation.

The City Manager reported that he had contacted the Oakland City Manager for information on that City's program for housing rehabilitation with funding from private financial institutions. He stated that he was in the process of contacting mutual acquaintances heading the Neighborhood Housing Services out of Washington to get more information on the program.

Following are recommendations made by council members on procedures to be taken for a program of housing rehabilitation and conservation:

Community involvement on a self-help basis, with the City providing professional guidance;

Seek additional federal funds, with matching City funds, to continue the work begun by the F.A.C.E. program;

Poll organizations for interest in becoming part of a housing authority;

Preparation of plans by the City in order to proceed quickly if and when federal funds are available;

A staff study on development of hollow blocks with new subsidy type rentals, specifically mentioned an area south of McHenry Village;

Specific assignment of a staff member to prepare a summary of housing information.

Budgeting funds to fill the position of Human Relations Director, the first project assigned to the person hired being the community's housing problem.

Coordination of various levels of agencies involved in housing problems - Welfare, Probation, Building Inspection and Fire Department, as well as state and federal agencies.

Linda Kenyon, Housing Chairman, American Association of University Women, asked that the Council concentrate on a long term program for housing rehabilitation in order to eliminate frustration at termination of federally funded programs. Upon questioning, Mrs. Kenyon stated that limited manpower would be available from the AAUW for home-management training.

No action was taken on any suggestions submitted pending further report from the City Manager on the Oakland program.

Items 2, 3 and 4 of the Project Greater Modesto Report were briefly reviewed. No action was taken.

Pauline P. Stanley

PAULINE P. STANLEY
Acting City Clerk

Modesto City Council
Adjourned Regular Meeting
January 17, 1974

The Council of the City of Modesto met in the Council Chambers, City Hall, 801 11th Street, Modesto, California, at 4:00 P.M. pursuant to adjournment and there were:

Present: Councilmembers: Elliott, Kullijian, Newton, Mayor Davies
Absent: Councilmembers: Dunlap, Mensinger, Simon

The only item discussed was the Project Greater Modesto recommendation that "The Parks and Recreation department should organize and support dances or other functions that will attract young people."

Dennis Dudley and Rudy Mensinger pointed out that there are no local facilities available for rock-music concerts or dances.

Dr. Burke and Mrs. Darpinian of the Stanislaus County Superintendent of Schools office agreed to assist in any study made of the needs of young people in the area, but pointed out that a study should be broader in scope than one which only looked into the rock-concert type of activity.

By motion (Kullijian/Newton, unan.) Mayor Davies was authorized to pick a group of representative people (council, schools, County, young people, etc.) in an attempt to form a committee to work on this problem.

The meeting was adjourned at 5:40 P.M. to 4:00 P.M. on Tuesday, January 29, 1974.

ATTEST:


W. T. CHYNOWETH, City Clerk

1/17/74

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JANUARY 21, 1974 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Simon, Mayor Davies

Absent: None

Councilman Newton arrived at 4:10 P.M.

Councilman Simon was excused at 5:40 P.M.

Pledge of allegiance to the Flag

Invocation by Captain Ronald Bawden, Salvation Army

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 4, 5, 7, 8, ~~9~~, 16,
Items 9, 18 and 19 removed from consent 17, ~~18~~, ~~19~~, 22, 24, 26, 27
Elliott/Dunlap, unan. - Newton, absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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).

APPROVAL OF MINUTES

CONSENT

1. Minutes of January 14, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

CONSENT

2. Request of Modesto Band of Stanislaus County, Inc. for:
(a) Payment of \$350 budgeted for 1973 appearance at Cal-Expo.
(b) Payment of \$1,800 budgeted for 1973 summer band concerts.
(Motion approving payment needed)

ACTION: By motion, payment of \$2,150 approved. (Finance to handle)

3. Suggestion from Lawrence Miller that "911" be used for emergency phone calls.

ACTION: It was reported that a committee has been formed in Stanislaus County to see that "911" is in operation no later than the 1982 State deadline.

CONSENT

4. Request by Art Bassard for financial assistance from City of Modesto in connection with remodeling of buildings at 33 and 35 H Street that was necessitated by street widening project.
(Motion referring to staff for report needed)

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

CONSENT

5. Request of W. M. Lyles Co. for permission to use a small portion of the parking area at 800 E. Morris to park equipment for approximately three or four weeks.
(Resolution approving agreement needed)

ACTION: Res. 74-38 adopted approving agreement. (P & R to handle)

6. Report by Modesto Board of Realtors regarding Board activities in the field of low income housing.

ACTION: Bart Bennett reported on what the Board has been doing in this field and made suggestions as to what might be done in the future.

BIDS

CONSENT

7. Consider acceptance of D. A. Parrish, Inc.'s contract for construction of subtrunk sewer in McHenry Avenue between Warren and Union.
(Original contract \$26,508.00). All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and file notice of completion. Resolution accepting work as complete needed. Final construction cost \$26,508. Funds budgeted in Account 6561-212, Extend Subtrunk/Perimeter Sewers)

ACTION: Res. 74-39 adopted accepting contract. (Clerk to handle)

CONSENT

8. Consider acceptance of George Reed's contract for paving overlay in Beard Brook Park.
(Original contract \$5,840. All work on this project has been completed to the satisfaction of the Public Works Department and the Parks and Recreation Department. It is recommended that the work be accepted as complete and notice of completion be filed. Resolution accepting work needed. Final contract cost \$5,555.00. Funds budgeted in Account 6364-31-321, Beard Brook Overlay.

ACTION: Res. 74-40 adopted accepting contract. (Clerk to handle)

~~CONSENT~~

9. Consider declaring Holt Bros. of Stockton to be the lowest responsible bidder and authorize the purchase of a used caterpillar motor grader.
(Memo with agenda. Resolution needed. Estimated cost \$24,990. Funds budgeted in Account 5432-48-512, Service Division Working Capital Fund, p. 142)

ACTION: Res. 74-41 adopted (Kullijian/Dunlap, unan.) declaring Holt Bros. of Stockton as lowest responsible bidder and authorizing purchase of a used Caterpillar Motor Grader, Model 112F. (Finance to handle)

City Manager directed to commend Purchasing Officer for excellent report. (C/Mgr to handle)

HEARINGS

10. Hearing on amendment to Sections 28-3-9 and 33-3-9 to rezone from C-1 to P-D for three 9-unit, 2-story apartment buildings at 514 and 518 13th Street, and on southwest side of 15th Street between F & G. 4:00 P.M.
(Willo Construction)

ACTION: Ord. No. 1322-C.S. introduced (Elliott/Kullijian, unan.) amending Sections 28-3-9 and 33-3-9 of the zoning map. (Clerk to handle)

Res. 74-42 adopted (Elliott/Kullijian, unan.) approving development plan. (Planning to handle)

(Councilman Simon was excused from the remainder of the meeting)

The City Manager was requested to check into the location of power poles in the alleys involved in this rezoning to see if they are a potential hazard. (C/Mgr to handle)

11. Hearing, encroachment permit, to allow two ornamental light posts to remain in sidewalk area at 1405 Madrone Drive. (Herbert H. Staggs) 4:05 P.M.

ACTION: Res. 74-43 adopted (Kullijian/Elliott, unan. - Simon, absent) granting encroachment permit to Herbert H. Staggs subject to the following conditions (1, 2, 3 & 4 of memo). (P/W to handle)

12. Continued hearing of appeal by Cleveland Stockton to Board of Zoning Adjustment denial of variance for a six-foot fence at 818 Encina Ave. 4:10 P.M.

ACTION: (Councilmember Mensinger was excused from consideration of this item due to a conflict of interest)

Res. 74-44 adopted (Dunlap/Newton, maj. - Kullijian, no - Mensinger and Simon, absent) denying appeal. (Clerk to handle)

13. Continued hearing, request of Cleveland Stockton for permission to construct a six-foot masonry fence in right of way on Encina and Las Palmas Avenues. 4:10 P.M.

ACTION: (Councilmember Mensinger was excused from consideration of this item due to a conflict of interest)

By motion, ~~request for encroachment~~ permit denied. (Clerk to handle)

14. Matters for the good of the community. 4:15 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

15. Final adoption of the following ordinances:

No. 1309-C.S. - amending Section 4-3-9 and 9-3-9 - Lance Ellis.

1310-C.S. - amending Section 6-4-9 of zoning map - The Brittany

1311-C.S. - amending Section 32-3-9 of zoning map - Phillips

1312-C.S. - amending Section 9-3-9 of zoning map - Berberian

1313-C.S. - amending Section 9-3-9 of zoning map - Berberian

1314-C.S. - amending Section 9-3-9 of zoning map - Berberian

1315-C.S. - amending Section 9-3-9 of zoning map - Berberian

1316-C.S. - amending Section 10-3-9 of zoning map - Berberian

1317-C.S. - amending Section 10-3-9 of zoning map - Berberian

1318-C.S. - amending Section 10-3-9 of zoning map - Berberian

1319-C.S. - amending Section 10-3-9 of zoning map - Berberian

1320-C.S. - amending Section 10-3-9 of zoning map - Berberian
(Motion adopting each of the above ordinances needed)

ACTION: (Councilman Kullijian was excused from consideration of this item due to a conflict of interest)

By motion (Elliott/Newton, unan. - Kullijian & Simon, absent) above ordinances adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

16. Consider request for sewer service to property at 2417 Ada Street at the northeast corner of Ada and Curry Ave.
(Owner: Faye E. Coolidge. The property owner has signed an agreement to annex when requested to do so by City. The property is contiguous to City and a line exists to serve it. Resolution approving agreement needed)

ACTION: Res. 74-45 adopted approving agreement. (P/W to handle)

CONSENT

17. Consider use of hydrogen peroxide for odor control at Water Quality Control Plant.
(Memo with agenda. Resolution waiving formal bid procedures and authorizing issuance of purchase order not to exceed \$20,000 needed. (Five affirmative votes required)

ACTION: Res. 74-46 adopted waiving formal bid procedure and authorizing issuance of purchase order to Food Machinery Co. not to exceed \$20,000 for the purchase of hydrogen peroxide at a rate of 21.5 cents per pound. (P/W to handle)

~~CONSENT~~

18. Consider renegotiating fixed base operator lease with Darold Jolliff, dba Hawke Flying Service, at the Modesto City-County Airport.
(Memo with agenda. Motion authorizing renegotiation of lease needed)

ACTION: By motion (Dunlap/Elliott, unan.) action delayed for two weeks at request of Jolliff. (Clerk to handle)

~~CONSENT~~

19. Agreement with Senior Opportunity Services Program of Stanislaus Co., Inc.
(Agreement with Senior Opportunity Services Program of Stanislaus Co., Inc., to use the old Downey Avenue Fire Station located at 416 Downey Avenue. Resolution approving agreement needed)

ACTION: By motion (Kullijian/Mensing, unan.) further consideration delayed for two weeks. (Clerk to handle)

20. Sidewalk program - completion of curb, gutters, and sidewalk on Griswold Ave.
(Memo with agenda. Motion directing staff needed)

ACTION: By motion (Kullijian/Elliott, unan.) staff directed to proceed as to curb and gutter and to make further report as to sidewalks within one year. (P/W to handle)

REPORTS

CONSENT

22. Report on charges by M.I.D. for utility tax collection.
(Memo from Director of Finance and M.I.D. proposal with agenda. Motion accepting proposal of M.I.D. needed)

ACTION: By motion, approval given to M.I.D. proposal to charge \$.03227 per bill for period 10/1/73 through 6/30/74 with additional review of actual costs to be made in June, 1974, for 7/1/74 through 12/31/74 and annual reviews thereafter. (Finance to handle)

REPORTS FROM PLANNING COMMISSION

23. Preliminary review - Land Use and Circulation Elements, Modesto Urban Area General Plan.
(Copies of the subject report and Draft EIR were distributed in early January to the Council. A brief oral report will be made with an opportunity for the Council to raise issues not discussed in either of the reports and to comment on the work effort thus far. For information only)

NO ACTION AT THIS TIME

CONSENT

24. Recommend amendment to Section 28-3-9 of the zoning map - (Martin Optical Company - 15th Street)
(On January 15, 1974, the Planning Commission adopted Resolution No. 74-6 recommending an amendment to Section 28-3-9 of the zoning map to reclassify from Neighborhood Commercial Zone, C-1, to Planned Development Zone, P-D, for a new Martin Optical facility, property located on the northeasterly side of 15th Street between G and H Streets. Resolution setting February 11 at 7:40 P.M. for public hearing needed)

ACTION: Res. 74-47 adopted setting hearing. (Clerk to handle)

25. Tentative subdivision map, Sylvan Meadows East No. 1 and 2 subdivision.
(On January 15, 1974, the Planning Commission approved the tentative map of the above subdivision and found that said subdivision, together with its design and improvements, is consistent with applicable general and specific plans of the City. The City Council is required to make the same findings. An environmental assessment of the subdivision has been made and negative declaration has been filed. Resolution making findings needed)

ACTION: (Councilman Kullijian was excused from consideration of this item due to a conflict of interest)

Res. 74-48 adopted (Dunlap/Elliott, unan. - Kullijian and Simon, absent) making findings. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

26. Appropriation transfer of \$1,500 from General Reserve, Fund 101, to Account 429-17-101, Other Special Charges, Fund 101.
(Additional funds needed in this account to cover remainder of 1973-74 fiscal year expenditures for employee training classes and tuition and textbook reimbursement for employees as authorized by Personnel Administrative Order 13.2-73-5. Resolution approving appropriation transfer of \$1,500 needed).

ACTION: Res. 74-49 adopted approving appropriation transfer of \$1,500 from Account 60-101 to Account 429-17-101. (Finance to handle)

CONSENT

27. Consider authorizing maintenance project to replace field lights at Del Webb Field, and approval of appropriation transfer in amount of \$10,000.
(Memo with agenda. Resolution approving appropriation transfer and resolution authorizing purchasing officer to obtain fixtures, waiving formal bid procedures. Estimated cost \$10,000)

ACTION: Res. 74-50 adopted approving appropriation transfer of \$10,000 from Account 6385-31-321 to Account 6398-31-321. (Finance to handle)
Res. 74-51 adopted waiving formal bid procedure and authorizing Purchasing Officer to obtain fixtures. (Finance to handle)

MISCELLANEOUS

28. Legislative matters.

ACTION: By motion (Newton/Elliott, unan.) AB 2119 supported.
By motion (Kullijian/Elliott, unan.) AB 491 opposed.
By motion (Kullijian/Dunlap, unan.) AB 1345 opposed.
By motion (Kullijian/Mensing, unan.) S 2747 opposed.
By motion (Kullijian/Dunlap, unan.) H.R. 8677 opposed.
(C/Mgr to handle)

29. Appointments.

ACTION: Res. 74-52 adopted (Mensing/Newton, unan. - Simon, absent) appointing Gerald Lambert as a member of the Board of Appeals, Dangerous Building Code and Housing Code for a term ending January 1, 1977 (replacing Charles D. Crawford). (Clerk to handle)

Res. 74-53 adopted (Dunlap/Kullijian, unan. - Simon, absent) appointing Ronald V. Stone for a term ending January 1, 1977, and reappointing Roy Huxley Hall and Robert H. Stuart as members of the Library & Culture Commission for terms ending January 1, 1978. (Clerk to handle)

Res. 74-54 adopted (Dunlap/Kullijian, unan. - Simon, absent) reappointing Leo Dugan as a member of the Personnel Commission for a term ending January 1, 1978. (Clerk to handle)

30. Matters too late for the agenda.


(NOTE: due to urgency, this item was considered at the start of the meeting)

ACTION: Res. 74-55 adopted (Elliott/Mensing, unan. - Newton, absent) approving transfer of \$11,980 from Account 60-101 to Head Rest Fund (No. 222). (Finance to handle)

The Council retired to executive session at 6:40 P.M. to consider appointments with the announcement that they would not return to open meeting.

Adjournment at 6:40 P.M.

ATTEST:


W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JANUARY 28, 1974 AT 7:30 P.M.

Roll Call Present: Elliott, Kullijian, Mensinger, Newton, Simon,
Mayor Davies

Absent: Dunlap
(Councilman Newton arrived at 7:35 P.M.)

Pledge of allegiance to the Flag

Invocation: Reverend John Busler, Minister of Youth, Prescott Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 4, 7, 9, 10, 15, 16,
Item 4 removed from consent 17, 20, 21, 23, 24, 25, 26, 27,
Simon/Kullijian, unan. - Dunlap and 28, 29, 30, 32, 33, 34, 35
Newton, absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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).

APPROVAL OF MINUTES

CONSENT

1. Minutes of January 8, 15, A.M., 15th, P.M., 17, and 21, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Letter from Mrs. Manuel Amaral concerning need to verify that dog has been spayed or neutered in order to be entitled to lower dog license fees.
(Motion referring to staff needed)

ACTION: By motion, letter referred to staff. (Finance to handle)

3. Request of Modesto Basketball Association for an additional \$600 to complete 1973-74 basketball season.
(Written report will be presented before Council meeting.)

ACTION: By motion (Simon/Mensinger, unan.) request granted. (P & R and Finance to handle)

~~CONSENT~~

4. Request of Red Top Taxi for permission to discuss possible rate increase with Director of Parking & Traffic.
(Motion referring to staff for report needed)

ACTION: (Councilman Kullijian was excused from consideration of this item due to a conflict of interest.)

By motion (Simon/Newton, unan.) request referred to staff for report.
(P & T to handle)

5. Request of Marion Vollmer for use of City Hall parking garage for dog training classes on Wednesday and Thursday evenings from 7:00 to 9:00 P.M. through March 28, 1974.
(Memo with agenda)

ACTION: By motion (Simon/Mensing, carried) request approved in principle, and referred to staff for preparation of necessary agreement covering insurance requirements, rental fee, hours of operation, etc., for submittal to Council. (P & T to handle with assistance of City Attorney's office)

6. Appeal by National Electrical Contractors Association to waiver of formal bid procedure for Del Webb Field lighting.

ACTION: By motion (Elliott/Simon, unan.) staff directed to prepare plans and specifications for repair of lights. (P/W to handle)

CONSENT

7. Request for appointment of new member of Human Rights Commission to replace Ed Bean who has moved from this area.
(Motion ordering filed needed)

ACTION: By motion, letter ordered filed.

8. Request of Silvoir Aviation for preliminary approval of proposal for fixed-base operation, office and restaurant at City-County Airport.

ACTION: By motion (Kullijian/Mensing, unan.) proposal referred to staff for study and report; report to include, but not be limited to, the opinion of the Airport Advisory Committee and is to be presented to Council within 30 days. (P/W to handle)

BIDS

CONSENT

9. Approval of plans and specifications and call for bids for Project No. 4 - Construction of curbs and driveways on Village Road.
(Suggested bid opening February 12, 1974 at 10:00 A.M. This project is required to repair for proper drainage, curbs and driveways damaged by street trees. Resolution approving plans, specifications and bid call needed. Estimated cost \$14,500 (contract \$14,000; Engr. \$500). Funds budgeted in Account 5301-51-101, Curbs and Gutters, and 321-51-101, Construction Material)

ACTION: Res. 74-56 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

10. Consider award of contract for drilling, casing, testing, and development of two deep wells for the City of Modesto, Wells No. 40 and No. 41.
(Bids were opened January 22, 1974. The low bid submitted by Osterberg and Stewart, which is 9.8% over the Engineer's Estimate is considered acceptable. It is recommended that the contract be awarded to them. Resolution needed. Estimated cost \$18,487.80. Funds budgeted in Account 6814-50-101, Pump Sta. E. Orangeburg and 6835-50-101, Pump Sta. Riverside Dr.)

ACTION: Res. 74-57 adopted awarding contract to Osterberg & Stewart.
(P/W to handle)

HEARINGS

11. Hearing on proposed changes in garden refuse collection. 7:30 P.M.

ACTION: By motion (Elliott/Kullijian, unan.) staff directed to continue present method of operation. (P/W to handle)

12. Hearings on cost of installation of curbs, gutters and/or sidewalks at the locations listed below. 7:35 P.M.

(a) Sidewalk along Encina Ave. at 432 Camellia Way, Lot 18 of Block 2129. (Anthony Barse - \$469.20)
(Elliott/Kullijian, unan. - Dunlap, absent)

ACTION: Res. 74-58 adopted/approving report, assessing costs and directing method of collection. (Finance to handle)

(b) Curb at 118 Rosemont Ave., Lots 35 and 36 of Block 327. (Cecil Carter - \$242.50)

ACTION: Res. 74-59 adopted (Elliott/Kullijian, unan. - Dunlap, absent) approving report, assessing costs and directing method of collection. (Finance to handle)

(c) Sidewalk along Coldwell Ave. at 422 Coldwell Ave., Lot 1 of Block 539. (H. Vincent Elkins Jr. - \$393.75)

ACTION: Res. 74-60 adopted (Elliott/Kullijian, unan. - Dunlap, absent) approving report, assessing costs and directing method of collection. (Finance to handle)

(d) Sidewalk along Miller Ave. at 201 Severin Ave., Lot 6 of Block 2127. (Gerald G. Ellis - \$334.00)

ACTION: Res. 74-61 adopted (Elliott/Kullijian, unan. - Dunlap, absent) approving report, assessing costs and directing method of collection. (Finance to handle)

(e) Sidewalk along W. Roseburg Ave. at 606 W. Roseburg Ave., a portion of Block 738. (Darrell Hattendorf - \$345.00)

ACTION: Res. 74-62 adopted (Elliott/Kullijian, unan. - Dunlap, absent) approving report, assessing costs and directing method of collection. (Finance to handle)

(f) Drive approach along W. Morris Ave. at 501 Magnolia Ave., Lot 15 and 16 of Block 542. (Frieda Jungerman - \$335.00)
(Payment over a 7-year period recommended)

ACTION: Res. 74-63 adopted (Elliott/Kullijian, unan. - Dunlap, absent) approving report, assessing costs and directing method of collection (over a 7-year period). (Finance to handle)

(g) Sidewalk at 212 W. Roseburg Ave., a portion of Block 744. (Allan Miller - \$182.00)

ACTION: Res. 74-64 adopted (Elliott/Kullijian, unan. - Dunlap, absent) approving report, assessing costs and directing method of collection. (Finance to handle)

(h) Sidewalk along Coldwell Ave. at 431 Coldwell Ave., a portion of Block 704. (Martin G. Petersen - \$330.00)

ACTION: Res. 74-65 adopted (Elliott/Kullijian, unan. - Dunlap, absent) approving report, assessing costs and directing method of collection. (Finance to handle)

12. Hearings, curb, gutter and/or sidewalk costs (continued) 7:35 P.M.

- (i) Sidewalk at 1819 Miller Ave., Lot 5 of Block 2184.
(Raymond B. Pike - \$147.20)

ACTION: Res. 74-66 adopted (Elliott/Kullijian, unan. - Dunlap, absent) approving report, assessing costs and directing method of collection. (Finance to handle)

- (j) Sidewalk along Encina Ave. at 1550 Encina Ave., Lot 1 of Block 2129. (Jerald J. Pitts - \$306.80)

ACTION: Res. 74-67 adopted (Elliott/Kullijian, unan. - Dunlap, absent) approving report, assessing costs and directing method of collection. (Finance to handle)

- (k) Sidewalk along Miller Ave., at 1835 Miller Ave., Lot 1 of Block 2184. (John P. Spearin - \$172.40)

ACTION: Res. 74-68 adopted (Elliott/Kullijian, unan. - Dunlap, absent) approving report, assessing costs and directing method of collection. (Finance to handle)

- (l) Sidewalk along W. Roseburg Ave. at 1201 Brady Ave., Lot 4 of Block 6005. (Donald R. Weakley - \$410.00)

ACTION: Res. 74-69 adopted (Elliott/Kullijian, unan. - Dunlap, absent) approving report, assessing costs and directing method of collection. (Finance to handle)

13. Hearing on closure of Oxford Way at Sunrise. 7:40 P.M.

ACTION: Res. 1282-S.P. adopted (Simon/Kullijian, maj. - Davies, no - Elliott & Dunlap, absent) approving temporary barricade at City expense for a two-year trial period. (P/W to handle)
(Councilman Elliott was excused from consideration of this item due to a conflict of interest).

14. Matters for the good of the community. 7:45 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

CONSENT

15. Final adoption of the following ordinances:

- (a) Ord. No. 1321-C.S. - specific plan for Veneman Ave.

ACTION: By motion, Ord. No. 1321-C.S. adopted. (Clerk to handle)

- (b) Ord. No. 1322-C.S. - amendment to Sections 28-3-9 and 33-3-9 of zoning map (Willo Construction).
(Motion adopting needed)

ACTION: By motion, Ord. No. 1322-C.S. adopted. (Clerk to handle)

CONSENT

16. Consider introduction of ordinance amending the City Council's rules of debate - Robert's Rules of Order.
(Memo with agenda. Motion introducing ordinance needed)

ACTION: Ord. No. 1323-C.S. introduced (provides for reference to latest edition of Robert's Rules of Order). (Clerk to handle)

CONSENT

17. Consider preparation of an ordinance to implement the governmental Conflict of Interests Act.
(Report with agenda. Motion approving report and recommendation needed)

ACTION: By motion, report and recommendation approved. (C/Atty to handle)

UNFINISHED BUSINESS

18. Further consideration of request of Welfare Rights Organization for use of King-Kennedy Center for annual Christmas dinner.

ACTION: Request withdrawn by Welfare Rights Organization.

19. Consider request of Arthur Bassard for assistance in moving a privately owned building from public right of way.
(Mr. Bassard owns property at 35 "H" Street. A portion of the building encroaches in the right of way and he has been requested to reconstruct steps which conflict with the construction of sidewalk. Memo with agenda. Motion denying request needed)

ACTION: By motion (Newton/Mensing, unan.) further consideration continued for one week. (Clerk to handle)

NEW BUSINESS

CONSENT

20. Application for a traffic enforcement grant.
(Recommendation for a program directed toward reducing motor vehicle accidents and resulting injuries and deaths. Resolution authorizing submission of application needed)

ACTION: Res. 74-71 adopted authorizing submission of grant application.
(Police to handle)

CONSENT

21. Request for permission to print and distribute the Council's annual "Report to the People."
(It is recommended that the reports be mailed with the water/sewer bills the last of February, using the County's equipment for inserting the bills and reports into envelopes as in previous years. Motion approving request needed. Estimated cost \$750. Funds budgeted in Account 427-65-101, Annual Report, p. 101 of budget)

ACTION: By motion, request approved. (C/Mgr to handle)

22. Letter from Muir Trail Girl Scout Council requesting use of city parks for day camps.
(Request to use Kewin, Scott & Beard Brook Parks for day camps, June 17-21, 1974, 8:30 A.M. - 3:30 P.M. Staff recommends approval and staff will work out details. Motion granting request needed)

ACTION: (Councilmember Mensinger was excused from consideration of this item due to a conflict of interest).

By motion, request approved. (P & R to handle)

CONSENT

23. A resolution determining that the public interest and convenience require that Dry Creek Park No. 3 Addition be annexed to Modesto Municipal Sewer District No. 1 and naming time and place for hearing. (This Addition has been annexed to the City of Modesto and it is now necessary to annex it to the Modesto Municipal Sewer District. Suggested hearing date March 18, 1974 at 4:00 P.M. Resolution setting hearing needed (2/3 affirmative vote required).

ACTION: Res. 74-72 adopted setting hearing. (Clerk to handle)

CONSENT

24. Resolution withdrawing Dry Creek Park No. 3 Addition from the McHenry-Dry Creek and Empire Fire Districts. (Resolution withdrawing Addition needed)

ACTION: Res. 74-73 adopted withdrawing Dry Creek Park No. 3 Addition for McHenry-Dry Creek and Empire Fire Districts. (Clerk to handle)

CONSENT

25. Relocation costs - Mrs. Fayla M. Bowlin - Tuolumne River Regional Park. (Memo with agenda. Resolution authorizing approval of agreement needed. Estimated cost \$360.00; funds budgeted in Account 6329-31-321, Tuolumne River Land Acquisition)

ACTION: Res. 74-74 adopted approving agreement. (Finance to handle)

CONSENT

26. Right of way acquisition - Nelson Avenue. (Memo with agenda. Resolution authorizing City Manager to execute purchase agreement. Estimated cost \$55. Funds budgeted in Account 6647-41-321, Misc. R/W and Improvements)

ACTION: Res. 74-75 adopted approving agreement with Stanislaus County for acquisition of tax-deeded land. (Clerk to handle)

CONSENT

27. Agreement with Duane Stone, architect, Fire Training Center. (Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 74-76 adopted approving amendment to agreement to provide for extension of time to February 15, 1974 for presentation of site plan and EIR to Council. (Clerk to handle)

CONSENT

28. Lease agreement - Dominic DePalma - Dry Creek Regional Park. (Memo with agenda. Resolution approving lease agreement needed)

ACTION: Res. 74-77 adopted approving lease agreement. (Clerk to handle)

CONSENT

29. Amend 1973-74 budget to provide for continuation of the Public Employment Program. (The federal government has agreed to provide an additional \$98,000 to continue the Public Employment Program. Authorization is requested to increase the estimated revenue and appropriations accordingly, thereby extending the existing program. Resolution amending budget needed)

ACTION: Res. 74-78 adopted amending 1973-74 budget to continue PEP. (Finance to handle)

CONSENT

30. Consider approval of agreement between City of Modesto and Glinda Williams for the lease of the residence at 1311 Legion Park Drive, which was purchased for Tuolumne River Regional Park.
(The lease is for one year, and calls for rental payment of \$125 per month. Resolution approving lease agreement needed)

ACTION: Res. 74-79 adopted approving lease agreement. (Finance to handle)

REPORTS

31. Report on McHenry Village access to Briggsmore.
(Memo with agenda. City Council asked for report to be made in January. Accidents have persisted at this median opening and it is recommended that negotiations continue with McHenry Village to close median. Motion authorizing staff to negotiate for closing the median opening at McHenry Village Way needed. No cost at this time)

ACTION: By motion (Simon/Elliott, unan.) staff authorized to negotiate for closure. (P & T to handle)

CONSENT

32. Quarterly report from Ecology Action Educational Institute on their recycling of salvageable wastes.
(Report with agenda. Motion accepting report needed)

ACTION: By motion, report accepted.

REPORTS FROM PLANNING COMMISSION

CONSENT

33. Recommend amendment to P-D(69) to allow construction of a recreational vehicle storage area and tennis courts at the south center of the Granada Park Development on the north side of Haddon Avenue east of North Riverside Drive (Price).
(On January 15, 1974 the Planning Commission adopted Resolution No. 74-7 recommending an amendment to P-D(69) to allow construction of a recreational vehicle storage area and tennis courts at the south center of the Granada Park Development on the north side of Haddon Avenue east of North Riverside Drive, as requested by James E. Price. Resolution setting February 19, 1974 for public hearing (4:00 P.M) needed)

ACTION: Res. 74-80 adopted setting hearing. (Clerk to handle)

CONSENT

34. Uninhabited annexation to the City of Modesto - North McHenry No. 1 Addition.
(The LAF Commission has authorized this annexation without notice or public hearing - July 20, 1973. Resolution approving annexation needed)

ACTION: Res. 74-81 adopted annexing North McHenry No. 1 Addition to City. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

35. Approval of budget adjustments to the Revenue Sharing Fund and transferring Revenue Sharing monies to the General Fund and the Special Fund for Capital Outlays.
(Estimated additional Revenue Sharing revenues and monies already in the Revenue Sharing General Reserve are available for transfer to the General Fund and the Special Fund for Capital Outlays for previously approved projects. (Memo with agenda). (1) Resolution estimating additional \$307,569 Revenue during 1973-74 fiscal year in the Revenue Sharing Fund General Reserve needed. (2) Resolution approving transfer of \$577,000 from Revenue Sharing Fund General Reserve for previously approved projects needed)

ACTION: Res. 74-82 adopted estimating additional \$307,569 in Revenue Sharing Fund General Reserve for 1973-74.

Res. 74-83 adopted approving transfer of \$577,000 from Revenue Sharing Fund General Reserve for previously approved projects.
(Finance to handle)

MISCELLANEOUS

36. Legislation.

ACTION: By motion (Kullijian/Elliott, unan.) S 1541 opposed. (C/Mgr to handle)

37. Appointments.

ACTION: Res. 74-84 adopted (Mensingher/Newton, unan. - Dunlap, absent) appointing Gordon Hart as a member of the Board of Appeals, Dangerous Building Code & Housing Code for a term ending January 1, 1977 (Replacing Lee Hampson). (Clerk to handle)

Res. 74-85 adopted (Mensingher/Newton, unan. - Dunlap, absent) appointing Charles Plaster as a member of the Board of Appeals, Dangerous Building Code & Housing Code for a term ending January 1, 1978 (Replacing Rob Roy Phillips). (Clerk to handle)

Res. 74-86 adopted (Elliott/Kullijian, unan. - Dunlap, absent) appointing Blaine Pack as a member of the Board of Zoning Adjustment for a term ending January 1, 1975 (Replacing Clifton Rooker). (Clerk to handle)

38. Matters too late for the agenda.

ACTION: By motion (Kullijian/Mensingher, unan.) City Manager directed to arrange Council luncheon meeting with Mary Lee Widener.
(C/Mgr to handle)

It was agreed that the Council representatives to SAAG would request: more voting representation on SAAG; or less County representation; or a reduction in Modesto's share of SAAG budget.

By Order of the Chair, the City Attorney was directed to review Sturgis Rules of Parliamentary Procedure and report to Council.
(C/Atty to handle)

Adjournment at 11:35 P.M.

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

Modesto City Council
Adjourned Regular Meeting
January 29, 1974

As there were no members of the Modesto City Council present
this day, the meeting was adjourned to Tuesday, February 5, 1974.

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, FEBRUARY 4, 1974 AT 4:00 P.M.

Roll call Present: Elliott, Kullijian, Mensinger, Newton, Simon,
Mayor Davies

Absent: Dunlap
(Councilman Simon arrived at 4:30 P.M.)

Pledge of allegiance to the Flag

Invocation by Reverend Calvin Hogue, Orangeburg Avenue Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 4, 5, 7, 10, 11, 12,
Newton/Kullijian, unan. - Dunlap and 13, 15, 16, 17, 18, 19, 20, 21,
Simon, absent 22, 24, 25, 26, 27, 29, 30, 31

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of January 28, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request of Stanislaus NOW for resolution proclaiming February 15 as Susan B. Anthony Day.
(Adoption of resolution needed)

ACTION: Res. 74-87 adopted proclaiming February 15 as Susan B. Anthony Day. (Clerk to handle)

3. Notice of Congressional-City Conference to be held March 3 - 5, 1974 in Washington, D.C.

NO ACTION

CONSENT

4. Request from Mr. and Mrs. Alan Powers that at least one set of tennis courts be lighted or pay timers be installed.
(Memo with agenda. Motion approving recommendation to light courts at Graceada and Roosevelt needed)

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

CONSENT

5. Request of D.I.D. for appropriation transfer of \$2,500 from Account 61 to Account 237 for additional promotional activities.
(Resolution needed)

ACTION: Res. 74-88 adopted approving appropriation transfer of \$2,500 from Account 61-218 to Account 237-218. (Finance to handle)

6. Request of Stella Marshall for reply to evidence submitted at last City Council meeting. Mrs. Marshall also wishes to submit a change of procedures.

ACTION: Further consideration continued for one week to enable Mrs. Marshall to present additional written information. (Clerk to handle)

BIDS

CONSENT

7. Consider award of contract for revised street light circuit on McHenry between Needham and Maynell.
(Bids were opened on January 29, 1974. The low bid was submitted by Ferrero Electric, Inc. and was 20% over the Engineer's Estimate. The bids were reviewed with the three bidders. On the basis of that review and the fact the bids varied by only 3% it is recommended that the contract be awarded to Ferrero Electric, Inc. Resolution needed. Estimated cost \$9,640. Funds budgeted in Account 6633-41-321, Modernize McHenry Street Lights)

ACTION: Res. 74-89 adopted awarding contract to Ferrero Electric, Inc. (P/W to handle)

HEARINGS

8. Hearing, annexation of Sunrise-Briggsmore Addition to Modesto Municipal Sewer District No. 1. 4:00 P.M.

ACTION: Res. 74-90 adopted (Elliott/Kullijian, unan. - Dunlap and Simon, absent) annexing Sunrise-Briggsmore Addition to Modesto Municipal Sewer District No.1. (Clerk to handle)

9. Matters for the good of the community. 4:05 P.M.
(These may be presented by interested persons in the audience)

ACTION: Mrs. Palm, 615 Spencer Avenue, requested permission to locate a mobile home on her property on a temporary basis so she will be able to take care of her father who is being released from the hospital and needs specialized care. It was agreed that staff would contact Mrs. Palm on February 5. (Planning to handle)

Ken Schach, representing Global Systems, expressed interest in leasing the Nazarene Church at 19th and H Streets from the City for use as a Christian Center. This request was referred to staff for report. (P & R to handle)

ORDINANCES

CONSENT

10. Final adoption of Ordinance No. 1323-C.S. - rules of debate, council meetings.
(Motion adopting needed)

ACTION: By motion, Ord. No. 1323-C.S. adopted. (Clerk to handle)

CONSENT

11. Establish speed limits on portions of Floyd, Mitchell, Standiford, Rumble, Veneman, and Whitmore.
(Memo with agenda. Five of the streets were recently annexed to the City, and the County had set the speed limits now proposed for confirmation. The other street has just been surveyed by radar. Ordinance amending Section 3-2.1401 and 3-2.1401.1 of the municipal code needed. Estimated cost \$100 (Signs and labor on Floyd Ave.). Funds budgeted in Account 5301-56-101, Traffic Signs)

ACTION: Ord. No. 1324-C.S. introduced. (Clerk to handle)

CONSENT

12. Consider amendments to garbage regulations in the Municipal Code and revisions to garbage license ordinances.
(Memo with agenda. Resolution setting February 19, 1974 at 4:05 P.M. for public hearing needed)

ACTION: Res. 74-91 adopted setting hearing. (Clerk to handle)

UNFINISHED BUSINESS

CONSENT

13. Further consideration of request of Marion Vollmer for use of City Hall parking garage for dog obedience classes.
(Motion continuing for one week needed)

ACTION: By motion, continued to February 19. (Clerk to handle)

14. Further consideration of request of Arthur Bassard for assistance in moving a privately owned building from public right of way.

ACTION: It was pointed out that the City could not legally give Mr. Bassard any financial assistance, but it was agreed that staff would assist him in applying for an encroachment permit for the portion of his building which is within the public right of way. (P/W to handle)

CONSENT

15. Further consideration of agreement with Senior Opportunity Services Program.
(Memo with agenda. Motion continuing for two weeks needed)

ACTION: By motion, continued to February 19. (Clerk to handle)

CONSENT

16. Further consideration of renegotiating fixed base operator lease with Darold Jolliff, dba Hawke Flying Service.
(Note: All concerned parties are now in agreement. Motion authorizing renegotiation of lease needed)

ACTION: By motion, staff authorized to renegotiate lease. (P/W to handle)

CONSENT

17. Approve lease agreement with Campbell Construction Company for use of part of the Lincoln School site.
(In December 1973 the Council gave tentative approval for use of part of Lincoln School site during construction of the Ralston Tower. An agreement has been drafted and signed by Campbell Construction. Resolution approving agreement needed)

ACTION: Res. 74-92 adopted approving agreement. (Clerk to handle)

NEW BUSINESS

CONSENT

18. Report of Superintendent of Streets on the Cost of installation of curbs and gutters and/or sidewalks at the locations listed below:
(Resolution setting 7:45 P.M. February 25, 1974 for hearings needed. Funds budgeted in Account 5302-51-101, Curbs and Gutters Special)

(a) Sidewalk along W. Roseburg Ave. at 1205 Enslin Ave., Lot 13, Block 6006. (Della C. Brewer, \$275.00)

CONSENT

18. Report of Superintendent of Streets, (continued)

- (b) Sidewalk at 323 Paradise Ave., Lot 3, Block 343. (Jonathan W. Cottrell, \$175.00)
- (c) Sidewalk along Miller Ave. at 1702 Miller Ave., Lot 1, Block 2125-A. (James W. Deffley, \$520.00)
- (d) Sidewalk at 711 Sycamore Ave., the South 59.64' of Lot 39 of Block 711. (Jack E. Goodwin, \$138.00)
- (e) Sidewalk along Miller Ave. at 1605 Miller Ave., Lot 7 of Block 2132. (Clarence A. Hedger, \$295.00)
- (f) Drive apron at 431 Virginia Ave., Lot 1 and 2 of Block 453. (Valerio Rodoni, \$166.00)
- (g) Sidewalk at 317 Paradise Ave., Lot 4, Block 343. (James Stanifer, \$281.87)
- (h) Curb along E. Morris Ave. at 419 Kimble St., Lots 1, 2, 3, and 4 of Block 576. (Donald J. Welch, \$156.00)

ACTION: Res. 74-93 adopted setting hearings. (P/W to handle)

CONSENT

19. Request of Allan Miller for permission to pay costs of installation of sidewalk on installment basis and rescinding Resolution 74-64 (\$182.00).
(Staff recommends payment over a four-year period. The property is located at 212 W. Roseburg Ave. Resolution approving time payment needed. Funds budgeted in Account 5302-51-101, Curbs and Gutters Special)

ACTION: Res. 74-94 adopted confirming report, assessing costs, directing collection over a period of four years and rescinding Resolution No. 74-64. (Finance to handle)

CONSENT

20. Approval for City Manager to sign Neighborhood Youth Corps Project agreement between City of Modesto and Modesto High School District. (The Department of Labor requires a new agreement to be executed in order for City of Modesto to continue participation in the high school work-study program. Resolution authorizing City Manager to sign agreement with Modesto High School District needed)

ACTION: Res. 74-95 adopted approving agreement. (Clerk to handle)

CONSENT

21. Notice of P.U.C. hearing on blocking of grade crossings by railroads. (Memo with agenda. No action required. Staff will bring the matter back if action is needed)

NO ACTION

CONSENT

22. Consider request for sewer service to property at 900 Newcastle Court located on the northeast corner of Kings Point Drive and Newcastle Court.
(Owners Gary S. and Karin L. Davis have signed an agreement to annex when requested to do so by City. The property is not contiguous to City limits. However, a sewer main exists to serve it. Resolution approving agreement needed)

ACTION: Res. 74-96 adopted approving agreement. (P/W to handle)

CONSENT

24. Consider Highway Functional Classification System.
(At the next S.A.A.G. meeting, Council representatives will be asked to approve county-wide Functional Classification System which comprises the Functional Classification System of the County and each of the cities within the County. Additional information contained in memo with agenda. Motion approving proposed Highway Functional Classification System needed)

ACTION: By motion, proposed Highway Functional Classification System approved. (P/W to handle)

CONSENT

25. Consider revised letter of agreement concerning emergency service at the Modesto City-County Airport.
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 74-97 adopted approving revised letter agreement with Airport Traffic Control Tower and Empire Fire Protection District. (Clerk to handle)

CONSENT

26. Proposed State beach, recreational and historical facilities bond act of 1974.
(Report on 1974 bond act proposing a formula for funding and establishing priorities. Memo with agenda. Resolution approving formula and setting priorities needed)

ACTION: Res. 74-98 adopted approving formula and setting priorities.
(P & R to handle)

CONSENT

27. Declaration of intention to approve amendment to agreement with P.E.R.S. to grant 5% increase for City employees who retired from January 1, 1971 through July 1, 1971. (Resolution declaring intention to approve amendment needed)

ACTION: Res. 74-99 adopted declaring/amendment to agreement with P.E.R.S. (Finance to handle)

28. Consider taking further action regarding EPA cases.
(Memo with agenda)

ACTION: By motion (Kullijian/Newton, unan.) City Attorney authorized to proceed.

REPORTS

CONSENT

29. Report on Greyhound request for 1.36% fare increase.
(Memo with agenda. Staff recommends matter be left to P.U.C. Motion approving recommendation needed)

ACTION: By motion, recommendations approved.

CONSENT

30. Quarterly report of Greater Modesto Chamber of Commerce.
(Motion accepting needed)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

31. County referral of open space contracts, applications Nos. 1662, 1671, 1681, 1682, 1719, 1771, 1772, 1793 and 1802. (Memo with agenda. Nine resolutions expressing recommendations to the County Board of Supervisors needed)

ACTION: Res. 74-100 adopted expressing no opposition to Application No. 74-1662 (Brouwer).
Res. 74-101 adopted expressing no opposition to Application No. 74-1671 (Spidell).
Res. 74-102 adopted expressing opposition to Application No. 74-1681 (Vincent).
Res. 74-103 adopted expressing opposition to Application No. 74-1682 (Vincent).
Res. 74-104 adopted expressing opposition to Application No. 74-1719 (James).
Res. 74-105 adopted expressing opposition to Application No. 74-1771 (Van Konynenburg).
Res. 74-106 adopted expressing opposition to Application No. 74-1772 (Van Konynenburg).
Res. 74-107 adopted expressing opposition to Application No. 74-1793 (Young).
Res. 74-108 adopted expressing opposition to Application No. 74-1802 (Bradley).

MISCELLANEOUS

32. Legislation.

NONE

33. Appointments.

ACTION: Res. 74-109 adopted (Kullijian/Simon, unan. - Dunlap, absent) appointing Mrs. Natalie Shastid as a member of the Library and Culture Commission for a term ending January 1, 1977 (replacing Lyn Green). (Clerk to handle)

34. Matters too late for the agenda.

ACTION: It was reported that CATV had increased its rates in a recent billing to a resident. Staff was directed to look into this. (C/Mgr to handle)

By motion (Simon/Newton, unan.) Mayor authorized to contact local Congressmen and Senators to protest Amtrack using Santa Fe tracks through Empire instead of the Southern Pacific tracks through Modesto. (C/Mgr to handle)

Adjournment at 4:53 P.M.

ATTEST:

W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

Modesto City Council
Adjourned Regular Meeting
February 5, 1974

The Council of the City of Modesto met in the Council Chambers, City Hall, 801 11th Street, Modesto, California, at 4:00 P.M. pursuant to adjournment and there were:

Present: Councilmembers: Elliott, Kullijian, Mensinger, Mayor Davies
Absent: Councilmembers: Dunlap, Newton, Simon

The following recommendations of the Project Greater Modesto were considered:

- Item 6. Appointment of a citizens' land resource committee. By motion (Kullijian/Elliott, unan.) referred to staff to see what other cities are doing.
7. Encourage true neighborhood shopping centers.
8. Enact architectural and landscape regulations for community shopping centers and industrial development.
9. Need for study by professionals of high-rise cluster apartments and high-rise office and retail developments in downtown area and shopping centers.
10. Need for study by professionals re dispersed light industry in a green buffer zone vs concentration in an industrial area.
11. Council and Board of Supervisors appoint committee to identify problems of aesthetics and environment. It was pointed out that this is being worked on.
12. Council create the position of environmental policeman. The Council agreed that this was a County-wide problem and should be approached at that level.
13. Development of mini-parks. The Council felt that this recommendation should be tied in with the transportation study.

There was a short discussion concerning the production of energy from garbage and garden refuse. Mayor Davies commented that staff was working on this idea and keeping abreast of all new developments.

Adjournment at 4:55 P.M.

ATTEST:


W. T. CHYNOWETH, City Clerk

2/5/74

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, FEBRUARY 11, 1974 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Simon, Mayor Davies

Absent: None

Pledge of allegiance to the Flag

Invocation by Reverend C. L. Stover, College Avenue Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 8, 9, 10,
Dunlap/Kullijian, unan. 11, 18, 20, 22, 23, 24, 25, 26,
27, 28, 29, 30, 31, 32, 33, 34,
36a, 36b

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of February 4 and 5, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request of Modesto Symphony Orchestra, Inc. for:
(A) Payment of \$2,500 budget for 1973-74 season.
(Motion authorizing payment needed)

ACTION: By motion, payment authorized. (Finance to handle)

- (b) \$2,500 to be budgeted for 1974-75.
(Motion referring to proper budget session needed)

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

CONSENT

3. Resignation of W. M. Nicholson as a member of the Planning Commission.
(Resolution accepting resignation with regret needed)

ACTION: Res. 74-110 adopted accepting resignation with regret. (Clerk to handle)

CONSENT

4. Request of Camellia Society of Modesto that City of Modesto again donate the Sweepstakes Trophy for the annual Camellia Calvacade Show March 16 and 17.
(Motion granting request needed)

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

CONSENT

5. Request for installment payments as follows:

- (a) Anthony Barse, sidewalk along Encina and Camellia Way at 432 Camellia Way. (\$469.20 - ten-year installment period recommended)

ACTION: Res. 74-111 adopted approving payment over a ten-year period. (Finance to handle)

- (b) Cecil Carter, curb at 118 Rosemont. (\$242.50 - five-year period recommended)

ACTION: Res. 74-112 adopted approving payment over a five-year period. (Finance to handle)

- (c) Vincent H. Elkins, Jr., sidewalk on Coldwell at 422 Coldwell. (\$393.75 - eight-year period recommended)

ACTION: Res. 74-113 adopted approving payment over an eight-year period. (Finance to handle)

- (d) Martin G. Petersen, sidewalk along Coldwell at 431 Coldwell. (330.00 - seven-year period recommended)

ACTION: Res. 74-114 adopted approving payment over a seven-year period. (Finance to handle)

- (e) Donald R. Weakley, sidewalk along W. Roseburg at 1201 Brady. (\$410.00 - eight-year period recommended)
(Five resolutions needed)

ACTION: Res. 74-115 adopted approving payment over an eight-year period. (Finance to handle)

CONSENT

6. Request of Ecology Action Educational Institute that "residential only" restriction be removed from salvage license and that the license be extended to a period of three years. (Motion referring to staff needed)

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

7. Request of W. R. Tomson, Director of Transadtise Co., for City Council to authorize payment of \$130.00 for printing of information on back of bus benches. (Memo with agenda)

ACTION: By motion (Dunlap/Simon, unan.) payment of \$130.00 authorized. (Finance to handle)

CONSENT

8. Request of Wilson Lincoln-Mercury for permission to dig a trench across alley that connects their buildings for the installation of a new phone system. (Resolution setting February 19, 1974 at 4:10 P.M. for informal hearing needed)

ACTION: Res. 74-116 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT

9. Consider approval of plans and specifications and call for bids for replacement of lights at Del Webb Field.
(Suggested bid opening date February 26, 1974 at 10:10 A.M. Some of the existing fixtures are unsafe, and it is proposed to install new fixtures on two of the existing poles to replace the unsafe fixtures. This contract is for the labor to install new lights. Light fixtures will be supplied by the City. Resolution needed. Estimated cost \$5,500 (\$5,150.00 Const.; \$350.00 Engr.) Funds budgeted in Account 6398-31-321, Del Webb Field Lights)

ACTION: Res. 74-117 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

10. Consider approval of plans and specifications and call for bids for electrical service to Del Webb Field dressing room.
(Suggested bid opening date February 26, 1974 at 10:00 A.M. The electrical service is needed to provide power for the dressing room. Resolution needed. Estimated cost \$6,500. (\$6,000 Construction; \$500 Eng. & Insp.) Funds budgeted in Account 6400-31-321, Del Webb Dressing Room)

ACTION: Res. 74-118 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

11. Consider taking the following actions regarding bids for automotive equipment:
(Memo and tabulations with agenda. Four resolutions needed) Estimated cost \$89,504.00
(1) Reject all bids for patrol cars and authorize new call for bids to be opened February 26, 1974 at 2:00 P.M.

ACTION: Res. 74-119 adopted rejecting all bids and setting new time for receiving bids. (Clerk to handle)

- (2) Award to Snider Motors - 2 sedans, \$7,007.28.

ACTION: Res. 74-120 adopted awarding contract for two four-door sedans to Snider Motors. (Finance to handle)

- (3) Award to Central Valley Chrysler-Plymouth, 2 sedans \$5,806.48.

ACTION: Res. 74-121 adopted awarding contract for two two-door sedans to Central Valley Chrysler-Plymouth. (Finance to handle)

- (4) Award to Dow Hammond Co. 13 trucks, \$76,689.50.

ACTION: Res. 74-122 adopted awarding contract for thirteen trucks to Dow Hammond Co. (Finance to handle)

HEARINGS

12. Hearing on annexation of Scenic-Encina Addition to City of Modesto. 7:30 P.M.

ACTION: Res. 74-123 adopted (Dunlap/Simon, unan.) declaring majority protest not made.

Ord. No. 1325-C.S. adopted (Dunlap/Simon, unan.) annexing area to City of Modesto. (Clerk to handle)

13. Hearing, vacation and abandonment of public utility easement Lots 22 and 23, Block 12409 of the resubdivision of a portion of Somerset Park No. 1. 7:35 P.M.

ACTION: Res. 1283-S.P. adopted (Kullijian/Elliott, unan.) vacating and abandoning PUE. (Clerk to handle)

14. Hearing, vacation and abandonment of 20-foot public alley, Block 82 of City of Modesto. 7:40 P.M.

ACTION: By motion (Simon/Newton, unan.) intention declared to vacate and abandon alley at such time as County has acquired all adjoining properties.

15. Hearing on amendment to Section 28-3-9 of zoning map to rezone from C-1 to P-D for a new Martin Optical facility on the northeasterly side of 15th Street between G & H Streets. 7:45 P.M.

ACTION: Ord. No. 1326-C.S. introduced (Elliott/Kullijian, unan.) amending Section 28-3-9 of the zoning map. (Clerk to handle)

Res. 74-124 adopted (Elliott/Kullijian, unan.) approving development plan. (Planning to handle)

16. Matters for the good of the community. 7:50 P.M.
(These may be presented by interested persons in the audience)

ACTION: It was agreed that staff would meet with Ken Schach re examination of Nazarene Church Building. (P & R to handle)

Lulu Jenkins complained of the manner in which the FACE program was conducted. Staff agreed to investigate. (C/Mgr to handle)

17. Hearing, Improvement District No. 22 assessment. 8:00 P.M.

ACTION: (Councilman Newton was excused from consideration of this item due to a conflict of interest)

Res. 1284-S.P. adopted (Simon/Dunlap, unan. - Newton, absent) confirming proceedings and assessment. (Clerk to handle)

ORDINANCES

CONSENT

18. Final adoption of Ordinance No. 1324-C.S. - speed limits.
(Motion adopting needed)

ACTION: By motion, Ord. No. 1324-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

19. Further consideration of material presented by Mrs. Stella Marshall.

NO ACTION

CONSENT

20. Consider renting part of lower level of City Hall garage for dog training through April 11, 1974.
(Memo with agenda. This matter was referred to staff at January 28, 1974, council meeting. Agreement covering the use ready for council approval. Resolution approving agreement needed)

ACTION: Res. 74-125 adopted approving agreement. (Clerk to handle)

21. Agreement with Senior Opportunity Services Program of Stanislaus County, Inc.
(Agreement with Senior Opportunity Services Program of Stanislaus Co., Inc. to use the old Downey Avenue fire station located at 416 Downey Avenue. Resolution approving agreement and resolution authorizing appropriation transfer of \$650.00 from Account 60-101 to Account 224-35-101 needed)

unan.

ACTION: Res. 74-126 adopted (Kullijian/Mensing) approving agreement.
(Clerk to handle)

Res. 74-127 adopted (Kullijian/Mensing, unan.) approving appropriation transfer of \$650.00 from Account 60-101 to Account 224-35-101. (Finance to handle)

CONSENT

22. Authorize submission of application to Urban Mass Transportation for funds to purchase three buses.
(Memo with agenda. The preliminary application for a federal grant of \$115,200 has been prepared. Resolution authorizing submission of preliminary application needed. Estimated cost \$28,800 to City. Funds are being requested in the 1974-75 Capital Improvements budget)

ACTION: Res. 74-128 adopted authorizing submission of preliminary application. (P & T to handle)

NEW BUSINESS

CONSENT

23. Consider resolution providing for notice of filing of assessment - Improvement District No. 21 (M21-22) (Sewers in various areas of the City)
(Adoption of resolution needed)

ACTION: Res. 1285-S.P. adopted providing for Notice of Assessment.
(Hearing March 11, 1974 at 8:00 P.M.) (Clerk to handle)

CONSENT

24. Agricultural lease agreement - Joseph Lorenzo, Dry Creek Park.
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 74-129 adopted approving agreement. (Clerk to handle)

CONSENT

25. Consider amendments to Environmental Impact Guidelines to bring City's Guidelines into conformance with amended guidelines for California Environmental Quality Act. (CEQA) prepared by Resources Agency of the State of California.
(Memo with agenda. Resolution adopting amendments to the City of Modesto Environmental Impact Guidelines)

ACTION: Res. 74-130 adopted adopting amendments to Modesto Environmental Impact Guidelines. (P/W to handle)

CONSENT

26. Consider approval of a revised Letter of Agreement between the Modesto Airport Traffic Control Tower and the City of Modesto concerning the operation of the Airport light systems.
(Memo with agenda. Resolution approving Letter of Agreement needed)

ACTION: Res. 74-131 adopted approving Letter of Agreement dated February 1, 1974. (P/W to handle)

CONSENT

27. Request authorization to negotiate agreement with Irrigation Consultant to design irrigation systems for Chrysler, Rose Avenue, Sutter, and Woodrow Neighborhood Parks. Motion granting request needed. Funds budgeted in Accounts 8312-31-321, Chrysler Park Development; 8311-31-321, Rose Avenue Park Development; 6327-31-321, Sutter Park Development; 6371-31-321, Woodrow Park Development)

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

CONSENT

28. Consider request for sewer service to property at 3700 McHenry Avenue, located on the east side of McHenry Avenue between Warren Way and Union Avenue.
(Owners Jerry and Ada Maxine Marsh have signed an agreement to annex when requested to do so by City. The property is contiguous to the City and a main exists to serve the property. Resolution approving agreement needed)

ACTION: Res. 74-132 adopted approving agreement. (P/W to handle)

CONSENT

29. Consider request for rate increase, cable television service - Cablecom General of Modesto, Inc.
(Copies of rate change application, proposed amendments to the Municipal Code and ordinance granting a franchise, and a memo on the subject are with agenda. Resolution setting March 4 at 4:30 P.M. for hearing needed)

ACTION: Res. 74-133 adopted setting hearing. (Clerk to handle)

REPORTS

CONSENT

30. Presentation of financial statement of January 1974.
(Copies of report will be presented at meeting. Motion accepting report needed)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

31. Set date for public hearing for annexation to the City of uninhabited territory (Carpenter-Woodland No. 1 Addition)
(Approved by LAFC January 2, 1974. Resolution setting April 8, 1974 at 7:30 P.M. for public hearing needed)

ACTION: Res. 74-134 adopted setting hearing. (Clerk to handle)

CONSENT

32. Set date for public hearing for annexation of McHenry-Rumble No. 3 Addition, uninhabited territory, to the City of Modesto.
(Approved by LAFC on January 2, 1974. Resolution setting April 8, 1974 at 7:35 P.M. for public hearing needed)

ACTION: Res. 74-135 adopted setting hearing. (Clerk to handle)

CONSENT

33. Sherwood Forest area inhabited annexation request.
(Residents of three separate Sherwood Forest area subdivisions have requested that inhabited annexation proceedings be initiated.)
- (a) Sherwood Forest No. 1 Subdivision.
 - (b) Sherwood Forest No. 2 Subdivision.
 - (c) Robin Hood Estates and Robin Hood Estates No. 2 subdivisions and adjacent area.
(Motion referring to staff for report needed)

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

APPROPRIATION TRANSFERS

CONSENT

34. Consider appropriation transfer from the General Reserve, General Fund, to the New Services (Water) account.
(Account 60-101 (General Reserve, General Fund) to 5301-50-101, New Services (Water). The money in this account has been used to provide new water services in subdivisions. The number of new services requested has exceeded our estimates and it is therefore recommended that additional money be appropriated. Resolution needed. Estimated Cost \$35,000)

ACTION: Res. 74-136 adopted approving appropriation transfer of \$35,000 from Account 60-101 to Account 5301-50-101. (Finance to handle)

MISCELLANEOUS

35. Legislation.

ACTION: By motion (Simon/Newton, unan.) ACA 90 opposed. (C/Mgr to handle)

36. Appointments.

CONSENT

- (a) Consider appointments to the Deferred Compensation Plan Committee. (Memo with agenda. Resolution appointing Dick Hosegood and Jim Young as members of the Deferred Compensation Plan Committee, and designating John Doxey as chairman of committee needed)

ACTION: Res. 74-137 adopted appointing Richard Hosegood and James Young as members and designating John Doxey as chairman of the Deferred Compensation Committee. (Clerk to handle)

CONSENT

- (b) Notification of appointments to League of California Cities committees for 1974.
(Motion accepting report needed. Memo with agenda)

ACTION: By motion, report accepted.

- (c) Others.


ACTION: Res. 74-138 adopted (Simon/Dunlap, unan.) appointing Ray Abst as a member of the Planning Commission to replace Ken Marple for a term ending January 1, 1977. (Clerk to handle)

37. Matters too late for the agenda.

ACTION: Res. 74-139 adopted (Elliott/Dunlap, unan.) designating City Manager or his designee as person authorized to sign claims for payment of mandated costs as per Sec. 2231 of Revenue and Taxation Code.

Adjournment at 8:30 P.M.

ATTEST:



W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 19, 1974 AT 4:00 P.M.

Roll call Present: Dunlap, Kullijian, Mensinger, Newton, Simon,
Mayor Davies
Absent: Elliott

Pledge of allegiance to the Flag

Invocation by Reverend Darrell Hanson, LaLoma Grace Brethren Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8,
Items 5 and 6 dropped from agenda 9, 14, 15, 16, 19, 20, 21, 22,
Item 9 removed from consent 23, 24, 25
Simon/Dunlap, unan. - Elliott, absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of February 11, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Notice of annual Conference of Mayors to be held in San Diego
June 22 - 26, 1974.
(Motion ordering filed needed)

ACTION: By motion, notice ordered filed.

CONSENT

3. Resignation of Julius C. Manrique as a member of the Human Rights
Commission.
(Resolution accepting with regret needed)

ACTION: Res. 74-140 adopted accepting resignation with regret. (Clerk to handle)

BIDS

CONSENT

4. Consider approval of specifications and authorize call for bids to be opened March 12, 1974 at 2:00 P.M. for furnishing four portable radios for the Police Department.
(Resolution needed. Estimated cost \$4,486.00. Funds budgeted in Account 5406-22-101, Capital Outlay, Page 51)

ACTION: Res. 74-141 adopted approving specifications and bid call.
(Clerk to handle)

~~EMMENT~~

5. Consider acceptance of W. M. Lyles contract for replacement of sewer lines in Chabot Court and John Muir Court. (Original contract price \$17,927.625. 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 notice of completion. Resolution accepting work as complete needed. Final cost \$17,589.80. Funds budgeted in Accounts No. 6582-212, Chabot Ct. line Replacement; 6581-212, John Muir Ct. line Replacement)

DROPPED FROM AGENDA

~~EMMENT~~

6. Consider acceptance of Joe Martin's contract for installation of waterlines in Bonnie Lee Estates, Coffee Plaza 7, Coffee Plaza 8, McHenry Estates 3, and Riedel Estates 2. (Original contract \$32,180.25. 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 \$32,425.30. (Main: \$24,793.30; Services \$7,632.00). Funds budgeted in Account 6804-50-101, Water Main Extension, and 5301-50-101, New Services)

DROPPED FROM AGENDA

CONSENT

7. Consider acceptance of Joe Martin's contract for installation of waterlines in Applegate No. 5. (Original contract price \$3,238.00). All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file a notice of completion. Resolution accepting work as complete needed. Final cost \$3,519.60 (Main \$2,709.60; Service \$810). Funds budgeted in Accounts 6804-50-101, Waterline Extensions; 5301-50-101, New Services)

ACTION: Res. 74-142 adopted accepting contract. (Clerk to handle)

CONSENT

8. Consider award of contract for Project No. 4 - construction of curbs and driveways on Village Road. (Bids were opened on February 12, 1974. The low bid submitted by Lee A. Cain, which was 12% under the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to him. Resolution needed. Estimated cost \$12,300.00. Funds budgeted in Account 5301-51-101, Curbs and Gutters; 321-51-101, Construction Material)

ACTION: Res. 74-143 adopted awarding contract to Lee A. Cain. (P/W to handle)

~~EMMENT~~

9. Consider award of contract to Pacific States Cast Iron Pipe Co. to furnish annual requirements of cast iron pipe. (4" size, \$1.789 per foot and 6" size \$2.442 per foot). Consider motion directing staff to change waterline contract specifications to require contractor to furnish asbestos cement water pipe until the supply problem is resolved. (Memo with agenda. Resolution awarding contract and motion directing staff needed)

ACTION: Res. 74-144 adopted (Kullijian/Dunlap, unan. - Elliott, absent) authorizing purchase of approximately 500' of 4" cast iron pipe from United States Pipe and Foundry Company.

Page 2

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CONSENT

9. Consider award of contract for cast iron pipe, (continued)

ACTION: Res. 74-145 adopted (Kullijian/Dunlap, unan. - Elliott, absent) authorizing purchase of approximately 5,000' of 6" cast iron pipe from United States Pipe and Foundry Company over a period ending January 31, 1975 at \$2.55 per foot. (Finance to handle)

By motion, staff directed to change specifications for waterline installation contracts to require contractors to furnish asbestos cement water pipe. (P/W to handle)

HEARINGS

10. Hearing on amendment to P-D(69) to allow construction of a recreational vehicle storage area and tennis courts in Granada Park on north side of Haddon, east of North Riverside Drive. (Price). 4:00 P.M.

ACTION: Ord. No. 1327-C.S. introduced (Kullijian/Dunlap, unan. - Elliott, absent) amending P-D(69). (Clerk to handle)

Res. 74-146 adopted (Kullijian/Dunlap, unan. - Elliott, absent) amending Res. 70-468 (development plan). (Planning to handle)

11. Public hearing on amendments to garbage regulations and revisions to garbage license ordinances. 4:05 P.M.

ACTION: Ord. No. 1328-C.S. introduced (Kullijian/Newton, unan. - Elliott, absent) amending Ordinance No. 1243-C.S. granting license to Rudy Bonzi, Inc. for collection of industrial garbage and salvageable waste.

Ord. No. 1329-C.S. introduced (Kullijian/Newton, unan. - Elliott, absent) amending Ordinance No. 1207-C.S. granting license to Orangeline Sanitation Co. for collection of garbage.

Ord. No. 1330-C.S. introduced (Kullijian/Newton, unan. - Elliott, absent) amending Ordinance 1205-C.S. granting license to Airport Garbage Service for collection of garbage.

Ord. 1331-C.S. introduced (Kullijian/Newton, unan. - Elliott, absent) amending Ordinance No. 1206-C.S. granting license to Modesto Garbage Co., Inc. for collection of garbage.

Ord. 1332-C.S. introduced (Kullijian/Newton, unan. - Elliott, absent) amending Ordinance No. 1208-C.S. granting license to Sanders Brothers, Inc. for collection of garbage.

Ord. No. 1333-C.S. introduced (Kullijian/Newton, unan. - Elliott, absent) amending Sections 5-5.20 and 5-5.38 of Chapter 5 of Title V of Modesto Municipal Code. (Clerk to handle)

12. Hearing, request of Wilson Lincoln-Mercury to dig trench across alley, for installation of phone lines. 4:10 P.M.

ACTION: Res. 74-147 adopted (Newton/Kullijian, unan. - Elliott, absent) granting encroachment permit subject to certain conditions. (Clerk to handle)

13. Matters for the good of the community.
(These may be presented by interested people in the audience) 4:15 P.M.

NONE

ORDINANCES

CONSENT

14. Final adoption of Ordinance No. 1326-C.S. - amendment to Section 28-3-9 of zoning map.
(Motion adopting needed)

ACTION: By motion, Ord. No. 1326-C.S. adopted.

NEW BUSINESS

CONSENT

15. Amendment to existing animal control ordinance to provide for dog licensing changes.
(Memo with agenda. Adoption of emergency ordinance needed)

ACTION: Ord. No. 1334-C.S. adopted changing delinquent date for licenses to September 1, 1974 and fixing five months as mandatory age for licensing. (Clerk to handle)

CONSENT

16. Public Personnel Intern Program.
(To permit the City of Modesto to continue to use two students from California State College Stanislaus under the federally funded Intergovernmental Personnel Act of 1970 for spring semester 1974. Resolution authorizing City Manager to sign agreement with California State College Stanislaus Foundation needed. Funds budgeted in Account 120-17-101)

ACTION: Res. 74-148 adopted approving agreement. (Clerk to handle)

17. Request from Downtown Improvement District for "Full Service Downtown Park Site."
(Copies of the request and memos from the city staff to be distributed with agenda. Motion approving recommendation of City Manager needed)

ACTION: By motion (Mensing/Dunlap, unan.) recommendations approved to: (1) direct staff to prepare Downtown General Plan to permit review in the Fall of 1974; (2) refer plan for downtown park to staff for consideration with Downtown General Plan; (3) defer further consideration of the preparation of a downtown park until adoption of the Downtown General Plan. (Planning to handle)

CONSENT

19. Request for permission for City Manager to attend annual City Managers' Department Spring Meeting sponsored by League of California Cities.
(Memo with agenda. Motion approving request needed. Estimated cost \$250. Funds budgeted in Account 207-8-101, Conference Expense, p. 31 of budget)

ACTION: By motion, request granted.

CONSENT

20. Notice that P. G. & E. is seeking an offset increase of 17.9% in gas charges to householders.
(Memo with agenda. For information only).

ACTION: None. (Councilmember Mensinger announced that she held stock in P. G. & E.)

CONSENT

21. Notice of Western Union Application to P.U.C. to increase charges.
(Memo with agenda. For information only)

NO ACTION

REPORTS

CONSENT

22. Report of physical inventory of all city assets.
(The Charter provides that when a new City Manager takes office an inventory of all assets must be taken. A report is attached showing that inventory has now been completed except for the Museum.
(Motion accepting inventory needed)

ACTION: By motion, inventory accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

23. County referral of Open Space Contract, Application No. 74-1796.
(Memo with agenda. Resolution expressing recommendation of opposition to contract to the County Board of Supervisors needed)

ACTION: Res. 74-149 adopted expressing opposition to application No. 74-1796. (Clerk to handle)

CONSENT

24. North Tully No. 1 Addition (inhabited) for referral to Planning Commission.
(Annexation has been requested by residents of the area located north of Hetch-Hetchy right of way, west of Tully Road and south of M.I.D. Lateral No. 6. The area is approximately 17 acres in size and contains 70 parcels. There are two storm water ponding lots and two vacant R-2 lots; the remaining 66 lots contain single-family dwelling units. The area is bounded by the corporate city limits on the south and east. The area is served by city water and sanitary sewer. The area is within the Salida Fire Protection District, from which it will be withdrawn, and in the Sylvan School District, in which it will remain. Additional information will be gathered if it is referred to the Planning Commission. Resolution referring to Planning Commission needed)

ACTION: Res. 74-150 adopted referring to Planning Commission. (Planning to handle)

CONSENT

25. Sherwood Forest Area inhabited annexation requests.

(a) Sherwood Forest No. 1 Addition.

ACTION: Res. 74-151 adopted referring to Planning Commission.

CONSENT

25. Sherwood Forest Area inhabited annexation requests, (continued)

(b) Sherwood Forest No. 2 Addition.

ACTION: Res. 74-152 adopted referring to Planning Commission

(c) Robin Hood Estates Addition.

(Memo from Director of Planning with agenda. Three resolutions referring three requests to Planning Commission, and motion referring staff report to Planning Commission needed)

ACTION: Res. 74-153 adopted referring to Planning Commission

By motion, staff report referred to Planning Commission.
(Planning to handle)

MISCELLANEOUS

26. Legislation.

NONE

27. Appointments.


NONE

28. Matters too late for the agenda.

ACTION: It was pointed out that Mrs. Widener had a problem in getting to Modesto for the February 20 meeting with the Council. The City Manager was authorized to make any necessary arrangements for her transportation.

Adjournment at 4:20 P.M. to 6:30 P.M. at the Sun Dial Restaurant for the purpose of meeting with the Stanislaus County Board of Supervisors. This meeting will then be adjourned to 11:00 A.M. on February 20 in the Council Chambers for the purpose of meeting with Mrs. Widener to discuss the operation of the Oakland Neighborhood Housing Services Program.

ATTEST:



W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, FEBRUARY 25, 1974 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Vice Mayor Simon

Absent: Mayor Davies
(Councilman Newton arrived at 7:35 P.M.)

Pledge of allegiance to the Flag

Invocation by John Sittema, Christian Reformed Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 10, 11, 12,
Item 19 removed from consent 13, 15, 16, 17, 18, ~~19~~, 21, 22,
Kullijian/Dunlap, unan. - Newton and 23
Mayor Davies, absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of February 19, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

BIDS

CONSENT

2. Consider acceptance of Joe Martin's contract for installation of waterlines in Bonnie Lee Estates, Coffee Plaza 7, Coffee Plaza 8, McHenry Estates 3, and Riedel Estates 2.
(Original contract \$32,180.25. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record the notice of completion. Resolution accepting work as complete needed. Final cost \$32,587.80 (Main: \$24,955.80; Services, \$7,632.00). Funds budgeted in Accounts 6804-50-101, Water Main Extension, and 5301-50-101, New Services)

ACTION: Res. 74-154 adopted accepting contract. (Clerk to handle)

CONSENT

3. Consider acceptance of George Reed's contract for asphalt concrete resurfacing various city streets 1973-74, Unit #1 and Unit #2.
(All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work as complete needed. Final cost: Construction, \$47,775.10. Funds budgeted in Account 6660-7-207, Misc. Resurfacing: Various Residential Streets, and 6657-41-321, A.C. Overlay)

ACTION: Res. 74-155 adopted accepting contract. (Clerk to handle)

CONSENT

4. Call for bids for construction of parking lot at Senior Citizens building at Scenic and Bodem.
(Estimated cost \$31,105. Memos with agenda. This project expands the parking to 74 spaces from its present 32 spaces. Scheduled completion date is July 19, 1974. Bid opening, March 26, 1974 at 2:00 P.M. Resolution approving bid call needed. Funds budgeted in Account 6322-31-321, Senior Citizens Parking. Additional funds to be requested later from Fund No. 321, 8385-Thousand Oaks Park and 8315-Davis Park. Low bid will determine exact amount needed above the \$13,575 budgeted)

ACTION: Res. 74-156 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

5. Consider acceptance of Steiner A-1 Concrete's contract for construction of internal walks in Kewin Park.
(Original contract \$14,200. All work on this project has been completed to the satisfaction of the Parks Department and the Public Works Department. It would be in order to accept the work as complete and record notice of completion. Resolution accepting work as complete needed. Final cost \$14,157-50. Funds budgeted in Account 6321-324, Moose Park 2 and 3, and 6336-324, Kewin Park Walks)

ACTION: Res. 74-157 adopted accepting contract. (Clerk to handle)

HEARINGS

6. Hearing, annexation of McHenry-Standiford Addition to City of Modesto. 7:35 P.M.

ACTION: Ord. No. 1335-C.S. adopted (Dunlap/Newton, unan. - Davies, absent) annexing McHenry-Standiford Addition to City of Modesto.
(Clerk to handle)

Res. 74-158 adopted (Dunlap/Newton, unan. - Davies, absent) declaring no majority protest made.

7. Continued hearing, Cablecom General of Modesto, Inc. 7:40 P.M.
(Letter from Alan Tanner re inability to obtain service with agenda. Motion continuing to March 4, 1974 at 4:30 P.M. needed)

ACTION: By motion (Dunlap/Newton, unan.) hearing continued to March 4 at 4:30 P.M.

8. Hearing on cost of installation of curbs and gutters and/or sidewalks at the locations listed below: 7:45 P.M.

- (a) Sidewalk along W. Roseburg Ave. at 1205 Enslin Avenue, Lot 13 of Block 6006. (Della C. Brewer - \$275.00)

ACTION: Res. 74-159 adopted (Elliott/Dunlap, unan. - Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (b) Sidewalk at 323 Paradise Ave., Lot 3 of Block 343. Jonathan W. Cottrell - \$175.00
(Payment over a three-year period recommended)

ACTION: Res. 74-160 adopted (Elliott/Dunlap, unan. - Davies, absent) confirming report, assessing costs and directing method of collection (over a three-year period). (Finance to handle)

8. Hearing on cost of installation of curbs and gutters and/or sidewalks, (continued)

7:45 P.M.

- (c) Sidewalk along Miller Ave. at 1702 Miller Ave., Lot 1 of Block 2125-A. (James W. Deffley - \$520.00)
(Payment over a ten-year period recommended)

ACTION: Res. 74-161 adopted (Elliott/Dunlap, unan. - Davies, absent) confirming report, assessing costs and directing method of collection (over a ten-year period). (Finance to handle)

- (d) Sidewalk at 711 Sycamore Ave., the South 59.64 feet of Lot 39 of Block 711. (Jack E. Goodwin - \$138.00)

ACTION: Res. 74-162 adopted (Elliott/Dunlap, unan. - Davies absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (e) Sidewalk along Miller Ave. at 1605 Miller Ave., Lot 7 of Block 2132. (Clarence A. Hedger - \$295.00)
(Paid - drop from agenda)

DROPPED FROM AGENDA

- (f) Drive apron at 431 Virginia Ave., Lots 1 and 2 of Block 453. (Valerio Rodoni - \$166.00)
(Paid - drop from agenda)

DROPPED FROM AGENDA

- (g) Sidewalk at 317 Paradise Ave., Lot 4 of Block 343. (James Stanifer - \$281,87)
(Payment over a six-year period recommended)

ACTION: Res. 74-163 adopted (Elliott/Dunlap, unan. - Davies, absent) confirming report, assessing costs and directing method of collection (over a six-year period). (Finance to handle)

- (h) Curb along E. Morris Ave. at 419 Kimble St., Lot 1, 2, 3 and 4 of Block 576. (Donal J. Welch - \$156.00)

ACTION: Res. 74-164 adopted (Elliott/Dunlap, unan. - Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

9. Matters for the good of the community.

7:50 P.M.

(These may be presented by interested citizens in the audience)

ACTION: Dr. George Valentine asked why peddlers and hawkers are not subject to the same license fees as established businesses. By motion (Mensinger/Kullijian, unan.) question referred to staff for investigation and report. (Finance to handle)

ORDINANCES

CONSENT

10. Final adoption of the following ordinances:

Ord. No. 1327-C.S. - P-D(69) uses. (Price)

Ord. No. 1328-C.S. - Bonzi garbage license amended.

Ord. No. 1329-C.S. - Orange Line Sanitation Co. garbage license amended.

CONSENT

10. Final adoption of the following ordinances, (continued)

Ord. No. 1330-C.S. - Airport Garbage Service garbage license amended.

Ord. No. 1331-C.S. - Modesto Garbage Co. garbage license amended.

Ord. No. 1332-C.S. - Sanders Salvage Co. garbage license amended.

Ord. No. 1333-C.S. - Code amended, garbage disposal.
(Motion adopting needed)

ACTION: By motion, Ordinances No. 1327-C.S. through 1333-C.S. adopted.
(Clerk to handle)

NEW BUSINESS

CONSENT

11. Resolution withdrawing North McHenry No. 1 Addition from the Salida Fire District.
(Resolution needed)

ACTION: Res. 74-165 adopted withdrawing North McHenry No. 1 Addition from Salida Fire Protection District. (Clerk to handle)

CONSENT

12. Resolution determining that the public interest and convenience require that North McHenry No. 1 Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing.
(The subject area has been annexed to the City and it is now necessary to annex it to the Sewer District. Resolution setting April 15, 1974 at 4:00 P.M. for hearing needed. (2/3 affirmative vote required))

ACTION: Res. 74-166 adopted setting hearing. (Clerk to handle)

CONSENT

13a. Property acquisition for Tuolumne River Regional Park - Mary R. Carpenter.
(Resolution accepting grant deed and approving land acquisition agreement needed)

ACTION: Res. 74-167 adopted accepting grant deed and approving agreement.
(Clerk to handle)

b. Lease agreement - Mary R. Carpenter.
(Resolution approving lease agreement needed. Memos with agenda)

ACTION: Res. 74-168 adopted approving lease agreement. (Clerk to handle)

14. Presentation of site plan for Fire Training Center and Fire Station No. 4.
(Plans will be presented by Architect Duane D. Stone. Motion approving site plan needed)

ACTION: By motion (Elliott/Newton, unan.) site plan approved and staff directed to report to Council on time schedule for development and on alternatives to present plans. (C/Mgr to handle)

CONSENT

15. Notice that Greyhound bus is seeking an 11% to 16% increase in rates.
(Memo with agenda. Informational unless Council wants staff to take action. For information only)

NO ACTION

CONSENT

16. Accept improvements in Smoke Tree No. 1 Subdivision and authorize City Clerk to record notice of completion and release bonds upon expiration of statutory periods.
(Smoke Tree No. 1 Subdivision is located west of Lakewood Avenue between Briggsmore Ave. and East Orangeburg Avenue. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 74-169 adopted accepting improvements. (Clerk to handle)

CONSENT

17. Consider submission of Request for Aid - Airport Development, amended in accordance with FAA recommended revisions.
(Memo with agenda. Staff has requested that County Chief Administrative Officer George Gaekle take this matter to the Board of Supervisors for their approval. Resolution authorizing submission of Request for Aid needed)

ACTION: Res. 74-170 adopted authorizing submission of Request for Aid.
(P/W to handle)

CONSENT

18. Consider approving final map of Old Orchard 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.
(The subdivision agreement has been signed and all fees paid. Old Orchard No. 3 Subdivision is located on the north side of East Orangeburg Avenue at Lakewood Avenue. It contains 14.31 acres. Resolution approving final map needed)

ACTION: Res. 74-171 adopted approving final map. (Clerk to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

19. Recommend amendment to Section 11-3-8 of the zoning map (Hahn Regional Shopping Center).
(On February 19, 1974 the Planning Commission adopted Resolution No. 74-25 recommending an amendment to Section 11-3-8 of the zoning map to reclassify from One-Family Residential Zone, R-1 to Planned Development Zone, P-D(109) by increasing the boundaries thereof to include said property to allow construction of a storm drainage ponding basin to serve the regional shopping center, said additional property being across the northerly side of Freeway 99 and west of Dale Road. Resolution setting March 25, 1974 at 7:30 P.M. for public hearing needed)

ACTION: Res. 74-172 adopted (Elliott/Kullijian, unan. - Dunlap and Davies, absent) setting hearing. (Clerk to handle)

(Councilman Dunlap was excused from consideration of this item due to a conflict of interest)

20. Lodgers in the R-1 zone.
(Memo and staff report with agenda. Review of recommendations, changes as the Council desires, referral to Planning Commission for development of Code text amendments needed)

ACTION: Res. 74-173 adopted (Dunlap/Elliott, unan. - Davies, absent) referring to Planning Commission for study and recommendation after study of questions raised by Council. (Planning to handle)

CONSENT

21. Recommend commencement of proceedings for the annexation to the City of inhabited territory - North Tully No. 1 Addition.
(On February 19, 1974 the Planning Commission adopted Resolution No. 74-22 recommending to the Council the commencement of proceedings for the annexation to the City of inhabited territory (North Tully No. 1 Addition) bounded on the north by Modesto Irrigation District Lateral No. 6, on the south by Hetch-Hetchy right of way, and on the east by Tully Road. Resolution consenting to commencing proceedings to annex needed)

ACTION: Res. 74-174 adopted consenting to commencement of proceedings. (Planning to handle)

APPROPRIATION TRANSFERS

CONSENT

22. Consider approval of appropriation transfer of \$50,000 from General Reserve to water line extension account.
(This account is used to provide water service to new subdivisions. More subdivisions have been developed than originally anticipated, and it is therefore necessary to provide additional money to cover the expense. Resolution needed)

ACTION: Res. 74-175 adopted approving appropriation transfer of \$50,000 from Account 60-101 to Account 6804-50-101. (Finance to handle)

CONSENT

23. Approval of appropriation transfers (General Fund: \$159,126; Service Division Working Capital Fund, \$7,817; Airport Fund, \$5,954) to provide for new positions authorized by the Council in the current budget to replace Public Employment Program employees being phased out.
(Memo with agenda. Three resolutions approving transfers needed)

ACTION: Res. 74-176 adopted approving appropriation transfer of \$186,023 from Account 61-101 to various accounts in Fund 101.

Res. 74-177 adopted approving appropriation transfer of \$6,374 from Account 62-230 to various accounts in Fund 230.

Res. 74-178 adopted approving appropriation transfer of \$768 from Account 60-48-512 and \$7,049 from Account 62-48-512 to various accounts in Fund 512. (Finance to handle)

MISCELLANEOUS

24. Legislation.

ACTION: By motion (Dunlap/Newton, unan.) AB 2942 opposed.

It was agreed that staff would furnish Council with more information on SB 1495.

25. Appointments.

ACTION: Res. 74-179 adopted (Elliott/Kullijian, unan. - Davies, absent) appointing Laurence B. Martin as a member of the Planning Commission for a term ending January 1, 1978 to succeed Wm. Nicholson. (Clerk to handle)

26. Matters too late for the agenda.

ACTION: By motion (Dunlap/Mensing, unan.) Vice Mayor Simon permitted to attend Congressional City Conference in Washington, D.C. march 3-5, 1974.

Mary Grogan was congratulated on her election as President of the State Parks & Recreation Society.

It was agreed that staff would report on March 4 to Council on the status of the H Street-Paradise Road widening project. (P/W to handle)

Adjournment at 9:10 P.M.

ATTEST:



W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF MONDAY, MARCH 4, 1974 AT 4:00 P.M.

Roll call: Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Mayor Davies. Absent: Simon

Pledge of allegiance to the Flag.

Invocation: Reverend Jerry Higdon, First Church of the Nazarene

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 7, 11,
12, 14, 15, 16, 17, 19, 22a

Items 6 and 13 removed from consent

calendar. Item 6 dropped from agenda. Elliott/Kullijian, unan. Simon absent.

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

- Minutes of February 25, 1974.
(Motion approving needed)

ACTION: By motion minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

- Request of the Warden's Office, Inc., for encroachment permit to allow planter to remain in public right of way.
(Resolution setting March 18, 1974 at 4:10 P.M. for informal hearing needed)

ACTION: Res. 74-180 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT

- Consider acceptance of Robco Construction Co.'s contract for installation of water lines in "I" Street and Block 131.
(Original contract \$3,270.40. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work as complete needed. Final cost, contract, \$2,960.50. Funds budgeted in Account 6804-50-101, Water Main Extensions)

ACTION: Res. 74-181 adopted accepting contract. (Clerk to handle)

CONSENT

- Consider award of contract for replacement of lights at Del Webb Field.
(Bids were opened February 26, 1974. The low bid submitted by Ferrero Electric, which is 12% over the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution needed. Estimated cost \$5,765.00. Funds budgeted in Account 6398-31-321, Del Webb Lights)

ACTION: Res. 74-182 adopted awarding contract to Ferrero Electric.
(P/W to handle)

3/4/74

CONSENT

- 5. Consider award of contract for electrical service to Del Webb Field dressing room.
(Bids were opened February 26, 1974. The low bid submitted by Industrial Electrical Co. which is 18% under the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution needed. Estimated cost \$4,940. Funds budgeted in Account 6400-31-321, Del Webb Dressing Room)

Action: Res. 74-183 adopted awarding contract to Industrial Electrical Co. (P/W to handle)

- 6. Consider award to low bidder, Bill Hughes Dodge, Modesto, to furnish 22 new patrol vehicles.
(Memo with agenda. Resolution needed. Estimated cost \$78,259. Funds budgeted in Account 5416-48-512, Service Division Capital Outlay, p.142)

ACTION: Dropped from agenda.

CONSENT

- 7. (a) Consider approval of a cooperative city-county agreement for the improvement of El Vista Ave. between Miller Avenue and Edgebrook Drive.
(The 1973-74 budgets of both County and City provide for the improvement which is partly in each area. Memo with agenda. Resolution needed)

ACTION: Res. 74-184 adopted approving agreement. (Clerk to handle)

- 7. (b) Approve plans and specifications and call for bids for improvement of El Vista Ave. from Miller Avenue to Edgebrook Drive.
(Bid opening March 26, 1974 at 10:00 A.M. El Vista Ave. is part of the City's Major street system and this will be a City-County project financed from city funds and county funds. City's share, 78.3%; County's share, 21.7%. Resolution approving plans, specifications and call for bids needed. Estimated cost \$349,600; Contract, \$331,500; Eng., 18,100). Funds budgeted in Accounts 6704-1-207, El Vista, Edgebrook to Yosemite, and 6704-205, El Vista, Edgebrook to Yosemite. Additional funds needed to be requested later from Fund 207, General Reserve; construction costs have gone up and we want to review the bids before requesting additional funds, if required).

ACTION: Res. 74-185 adopted approving plans and specifications and bid call. (Clerk to handle)

HEARINGS

- 8. Matters for the good of the community. 4:00 P.M.
(These may be presented by interested persons in the audience.)

A petition from residents of Geer Court was presented to the Council by Mrs. Rita Denson. It concerned problems caused by the operation of the Windjammer at 601 McHenry. It was agreed that staff would report to Council on this at the March 11 meeting. (Planning to handle)

- 9. Further consideration of revocation of franchise granted to Cablecom General of Modesto 4:30 P.M.
ACTION: Ord. No. 1336-C.S. introduced amending Sections 11-4.09, 11-4.10, 11-4.14 and 11-4.18 of Modesto Municipal Code. (Kullijian/Mensing, maj., Newton, Davies, no; Simon absent)

- 10. Hearing, request for rate increase, cable television service, Cablecom General of Modesto, Inc. 4:30 P.M.

ACTION: Ord. No. 1337-C.S. introduced amending Ord. 934-C.S. (Kullijian/Mensing, maj., Newton, Davies, no; Simon absent).

Res. 74-186 adopted establishing new rates for cable television service in Modesto subject to similar action by Stanislaus County Board of Supervisors. (Clerk to handle)

(Kullijian/Mensing, maj., Newton, Davies, no; Simon absent) 3/4/74

ORDINANCES

CONSENT

11. An ordinance amending Sections 6-1.125 and 6-1.126 of Article 1 of Chapter 1 of Title VI of the Modesto Municipal Code relating to business licensing.
(Memo with agenda. Introduction of ordinance and adoption of emergency ordinance needed)

ACTION: Ord. No. 1338-C.S. adopted amending Sections 6-1.125 and 6.1-126 of Modesto Municipal Code. (Emergency Ordinance).

Ord. No. 1339-C.S. introduced amending Sections 6-1.125 and 6-1.126 of Modesto Municipal Code.
Both of these ordinances deal with the definition of "confidential information."

NEW BUSINESS

CONSENT

12. Consider granting three-year limited license to Ecology Action Educational Institute for the collection of salvageable waste in the City of Modesto.
(Memo with agenda. Resolution setting public hearing for Monday, March 18, 1974 at 4:05 P.M. needed)

ACTION: Res. 74-187 adopted setting hearing. (Clerk to handle)

13. Consider granting an encroachment permit to Arthur C. Bassard at 35 H Street in the City of Modesto.
(Memo with agenda. Resolution granting encroachment permit subject to the terms and conditions set forth in memo from Director of Public Works needed.

ACTION: By motion (Newton/Kullijian, unan.) staff directed to continue to work with Mr. Bassard and return to Council with recommendation.
(P/W to handle)

CONSENT

14. Acceptance of miscellaneous items for McHenry Museum.
(Memo with agenda. Resolution accepting materials from County of Stanislaus needed)

ACTION: Res. 74-188 adopted accepting materials. (Clerk to handle)

CONSENT

15. Right of way agreement - Needham Street, Pentrust Realty Corporation.
(Memo with agenda. Resolution accepting grant deed, quitclaim deed, and authorizing execution of right of way agreement needed. Estimated cost \$35,800. Funds budgeted in Account 6700-205, Local Transportation Fund, Needham/Hackberry to Nellie)

ACTION: Res. 74-189 adopted accepting grant deed and quitclaim deed and approving right of way agreement. (Clerk to handle)

CONSENT

16. A resolution approving final map of Sunrise No. 1 Subdivision of the City of Modesto and authorizing agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.
(The subdivision agreement has been signed and all fees paid. Sunrise No. 1 Subdivision is located at the southwest corner of Norwegian Ave, and Sunrise Ave. It contains 5.937 acres. Resolution approving final map needed)

ACTION: Res. 74-190 adopted approving final map of Sunrise No. 1 Subdivision. (Clerk to handle)

CONSENT

17. Consider adoption of prevailing wage rates and directing publication thereof.
(This is the annual determination of prevailing wage rates required to be paid on all public works projects. Resolution needed)

ACTION: Res. 74-191 adopted determining prevailing wage rates.
(Clerk to handle)

18. Governor's message on gasoline shortage.
(Memo with agenda. Motion indicating Council's desires needed)

ACTION: By motion (Dunlap/Kullijian, unan) the Council indicated that it was not interested in the Governor's odd-even day plan at this time. (Clerk to handle)

REPORTS

CONSENT

19. Report on complaint regarding dog licensing.
(Copies of report with agenda. Motion accepting report needed)

ACTION: By motion, report accepted.

20. Report on status of H Street - Paradise Road widening project.

ACTION: By motion (Newton/Dunlap, unan., Simon absent) report accepted.

MISCELLANEOUS

21. Legislation. None.

22. Appointments.

CONSENT

- (a) Appointment of City of Modesto Youth Commissioners.

ACTION: Res. 74-192 adopted appointing Susan Conway (Davis High School; Rock Griffin, (Davis High School), and Eric Scott (Beyer High School) to the City of Modesto Youth Commission to replace Susan Mensinger, Mary Bekedam and Mark Baptista. (Clerk to handle)

- (b) Others. None.

23. Matters too late for the agenda.

ACTION: By motion (Kullijian/Mensinger, unan.) proposal by Councilman Simon that a City Housing Commission be established referred to staff for recommendation as to inclusion in present study by City-County Liaison Committee. (City Manager to handle).

Adjournment at 6:20 P.M.

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH
City Clerk

3/4/74

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, MARCH 11, 1974 AT 7:30 P.M.

Roll call: Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Simon, Mayor Davies
Absent: None
(Councilman Newton arrived at 7:40 P.M.)

Pledge of allegiance to the Flag
Invocation: Reverend Theodore Ness, Bethel Church.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 4, 7, 8, 9, 10,
11, 12, 13, 14, 15, 16, 17,
Dunlap/Simon, unan. - Newton absent. 18, 19, 20, 21, 22

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of March 4, 1974.
(Motion approving needed)

ACTION: By motion minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request of greater Modesto Chamber of Commerce for \$15,000 to be placed in 1974-75 budget.
(Motion referring to proper budget session needed)

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

3. Request of Stella Marshall for "change of procedures."

ACTION: By order of the Chair, referred to staff for any action deemed advisable. (Planning to handle)

BIDS

CONSENT

4. Consider acceptance of Steiner A-1 Concrete's contract for replacement of curb and gutter and construction of sidewalks at Graceada Park.
(Original contract \$7,849. All work on this project has been completed to the satisfaction of the Parks Department and the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work as complete needed. Final cost \$7,849. Funds budgeted in Account 6333-31-321, Graceada Park Sidewalks)

ACTION: Resolution 74-193 adopted accepting contract. (Clerk to handle)

HEARINGS

5. Matters for the good of the community. 7:30 P.M.
(These may be presented by interested persons in the audience)

None.

6. Hearing, Improvement District No. 21 Assessment. 8:00 P.M.

ACTION: Resolution 1286-S.P. adopted (Newton/Elliott, unan.) confirming proceedings and assessment. (Clerk to handle)

ORDINANCES

CONSENT

7. Final adoption of Ord. No. 1339-C.S. - business licenses. (Motion adopting needed)

ACTION: By motion, Ordinance No. 1339-C.S. adopted. (Clerk to handle)

CONSENT

8. (a) Ordinance of the Council of the City of Modesto authorizing an amendment to contract between City Council and the Board of Administration of the California Public Employees' Retirement System.

(b) Amendment to contract between the Board of Administration, Public Employees' Retirement System, and the City Council of the City of Modesto.

(At its meeting of February 4, 1974 the City Council adopted Resolution No. 74-99 entitled "A Resolution of Intention to Approve an Amendment to contract between the Board of Administration of the Public Employees' Retirement System and the City of Modesto" and Items (a) and (b) above carry out the intent of the resolution.

ACTION: Ordinance No. 1340-C.S. introduced approving amendment to contract. (Clerk to handle)

UNFINISHED BUSINESS

CONSENT

9. Consider automobile rental lease and concession agreement with Richard L. and Elise D. Schneider doing business as Thrifty Rent-a-Car. (Memo with agenda. Resolution approving agreement needed)

ACTION: Resolution No. 74-194 adopted approving agreement. (Clerk to handle)

CONSENT

10. Agreement with Russell D. Mitchell for the preparation of plans, specifications and bidding of documents for the installation of automatic sprinkler systems at Chrysler, Rose Avenue, Sutter and Woodrow Parks. This is a follow-up to Council authorizing of February 11, 1974 to negotiate an agreement with irrigation consultant for these projects. Resolution approving agreement needed. Estimated cost \$2,400. Funds budgeted in Accounts Nos. 8312-31-321, \$600, Chrysler Park Development; 6311-31-321, Rose Ave. Park Development; 6327-31-321, \$600, Sutter Park Development; 6368-31-321, \$600, Woodrow Park Development)

ACTION: Resolution 74-195, adopted approving agreement. (Clerk to handle)

CONSENT

11. Resolution determining that the public interest and convenience require that McHenry-Standiford Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing. (It is now necessary to commence proceedings to annex this addition to the Modesto Municipal Sewer District #1. Resolution setting date for hearing May 6, 1974 at 4:00 P.M. needed. (2/3 affirmative vote required)

ACTION: Resolution 74-196 adopted setting hearing. (Clerk to handle)

CONSENT

12. Resolution withdrawing McHenry-Standiford Addition from the Salida Fire District.
(This addition was annexed to the City of Modesto effective March 6, 1974. Resolution withdrawing from Fire District needed)

ACTION: Resolution 74-197 adopted withdrawing McHenry-Standiford Addition from Salida Fire Protection District. (Clerk to handle)

CONSENT

13. Authorize a new savings account or accounts, depending on deposit procedures and interest rates in effect, for the City's Deferred Compensation Plan.
(The Deferred Compensation Committee has recommended that a new account be authorized for our Deferred Compensation Plan at Citizens Savings and Loan, Modesto. Resolution authorizing new savings account or accounts needed)

ACTION: Resolution 74-198 adopted authorizing new savings account(s) at Citizens Savings and Loan. (Finance to handle)

CONSENT

14. Request of Modesto City Fire Fighters Association for additional payroll deduction.
(MCFFA wishes to have premiums for cancer insurance plan deducted from paychecks. Memo with agenda. Motion approving request needed)

ACTION: By motion request granted. (Finance to handle)

CONSENT

15. Request by Head Rest to be granted a 6% cost of living salary increase.
(Resolution approving salary increase needed)

ACTION: Resolution 74-199 adopted approving salary increases effective April 2, 1974. (Finance to handle)

CONSENT.

16. Requirement for construction of curb and sidewalk along E. Fairmont Ave. at 960 El Terino Ave., a portion of Block 1045. (Bible Baptist Church) (74/01-06)
(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 4:00 P.M. 4/1/74 for hearing needed)

ACTION: Resolution 74-200 adopted setting hearing. (P/W to handle)

CONSENT

17. Request by Joe Trombetta for an encroachment permit to allow a two-brick high curbing to remain at the back of the sidewalk in the public right of way at 1640 Rumble Road (West). (Resolution setting March 18, 1974 at 4:15 P.M. for public hearing needed)

ACTION: Resolution 74-201 adopted setting hearing. (Clerk to handle)

CONSENT

18. Approval of staff submission of a draft application for a HUD comprehensive planning assistance grant.

(Memo with agenda. Motion approving needed) ACTION: By motion submission of draft application approved. (Planning to handle)

CONSENT

19. Report on Lulu Jenkins' complaint regarding F.A.C.E. program.
(Report with agenda. Motion accepting report needed)

ACTION: By motion, report accepted)

REPORTS

CONSENT

20. Presentation of financial statement for February 1974.
(Copies of report will be presented at meeting. Motion accepting report needed)

ACTION: By motion, report accepted.

CONSENT

21. Report on Windjammer situation.
(Memo with agenda. Motion approving recommendation needed)

ACTION: By motion, approval given to recommendation that zoning inspector make a complete inspection of premises as to compliance with use permit conditions and as to parking. (Bldg. Insp. to handle); staff report on possibility of closure and abandonment of alley west of property. (Planning to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

22. Tentative Subdivision map, Lincoln Square No. 2 and 3 subdivision.
(On March 5, 1974 the Planning Commission approved the tentative map of the above subdivision and found that said subdivision, together with its design and improvements, is consistent with applicable general and specific plans of the City. The City Council is required to make the same findings. An environmental assessment of the subdivision has been made and negative declaration has been filed. Resolution making findings needed)

ACTION: Resolution 74-202 adopted making necessary findings.
(Clerk to handle)

23. Recommend commencement of proceedings for the annexation to the City of inhabited territory - Sherwood Forest No. 1 Addition, Sherwood Forest No. 2 Addition, and the Robin Hood Addition.
(On March 5, 1974 the Planning Commission adopted Resolutions numbered 74-38, 74-39, and 74-40 recommending to the Council the commencement of proceedings for the annexation to the City of three inhabited territories. Maps with agenda.

(a) Sherwood Forest No. 1 Addition; (b) Sherwood Forest No. 2 Addition; and (c) Robin Hood Addition.
(Three resolutions consent^{ing} to commencing of proceedings to annex needed)

ACTION: Resolution 74-203 adopted (Dunlap/Elliott, majority, Mensinger/Simon, no) consenting to commencement of proceedings for annexation of Sherwood Forest No. 1, Sherwood Forest No. 2, and Robin Hood Addition to the City of Modesto as one annexation. (Planning to handle)

MISCELLANEOUS

24. Legislation.

Action: By motion (Simon/Dunlap, unan.) AB 1036 opposed.
By motion (Simon/Newton, unan.) AB 1729 supported.
By motion (Newton/Dunlap, unan.) AB 1800 opposed.
By order of the Chair, staff was directed to look into the possibility of a City Employees' Bill of Rights. (Personnel to handle)
By motion (Dunlap/Davies, unan.) AB 2401 opposed unless time permits staff to obtain further information for Council.
By motion (Mensinger/Newton, unan.) SB 1495 supported.
(City Manager to handle)

25. Appointments.

ACTION: Resolution 74-204 adopted (Kullijian/Simon, unan.)
appointments made to City of Modesto Bicentennial
Committee. (Clerk to handle)

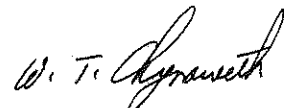
26. Matters too late for the agenda.

None.

27. Executive session to discuss appointments.

(The Council retired to executive session at 8:40 P.M. with the
announcement that they would not return to open meeting.)

Adjournment at 8:40 P.M.


ATTEST: W. T. CHYNOWETH
City Clerk

CITY OF MODESTO

MINUTES AND ACTION AGENDA
AGENDA FOR COUNCIL MEETING OF MONDAY, MARCH 18, 1974 at 4:00 P.M.

Roll Call: Present: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies (Councilman Newton arrived at 4:03 P.M.)

Pledge of allegiance to the Flag.

Invocation: Reverend David Kelso, North Modesto Church of God

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 5, 7, 8, 14(c), 15, 16, 17, 18, 19, 20, 21, 22, Dunlap/Simon, unan., Newton absent 26, 27, 28, 29, 33

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of March 11, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Request of Carol Allsup for discussion of need for safety devices at Tidewater Southern crossings at Granger, Bowen and Briggsmore.

ACTION: By motion (Dunlap/Elliott, unan.) Mayor authorized to write to Tidewater Southern Railroad to urge speedy construction of safety devices. (P & T to handle). It was agreed that the City Attorney would look into the "Thurman" legislation concerning this matter.

3. Request of Sherwood Forest No. 2 residents for reconsideration of Council action combining three Sherwood Forest area annexations into one.

ACTION: Resolution No. 74-205 adopted (Elliott/Simon, Mayor Davies, no) rescinding Resolution 74-203. Resolutions 74-206, 74-207, and 74-208 adopted (Simon/Mensinger, maj., Davies, no) consenting to commencement of proceedings for Sherwood Forest No. 1, Sherwood Forest No. 2, and Robin Hood Estates respectively. (Planning to handle)

By motion (Simon/Dunlap, unan.) Mayor authorized to communicate with LAFCO staff immediately in an attempt to have these annexations processed as soon as possible. (C/Mgr. to handle)

4. Request for permission to use Dryden Golf Course for a tournament to raise funds for muscular dystrophy.

It was agreed that the present policy of not approving fund raising events at any city facilities shall be retained.

BIDS

CONSENT

5. Consider approval of plans and specifications and call for bids for office addition at Building No. 3 at Corporation Yard. (Suggested bid opening date April 2, 1974 at 10:00 A.M. This project will enclose an additional bay at Building No. 3 at the Corporation Yard for use by the Parks and Recreation Department. Resolution needed. Estimated cost \$16,000 (\$15,000 Const., \$1,000 Eng.). Funds budgeted in Account 6548-41-321, Service Yard Bldg. #3 Modification. If additional funds are needed they will be requested later from various 321 accounts, Capital Improvement Accounts)

ACTION: Resolution 74-209 adopted approving plans, specifications, and bid call. (Clerk to handle)

CONSENT

7. Consider approval of \$50,000 appropriation transfer from General Reserve to water line extension account. (This account is used to provide water service to new subdivisions. Continuing subdivision development requires additional funding. Resolution approving transfer needed)

ACTION: Res. 74-210 adopted approving appropriation transfer of \$50,000 from Account 60-101 to Account 6804-50-101. (Finance to handle)

CONSENT

8. Consider approval of plans, specifications and call for bids for installation of waterlines in Old Orchard No. 3. (This is the first contract in which the contractor will furnish pipe. Suggested bid opening date April 2, 1974 at 10:10 A.M. Costs and revenues: Est. Cost \$17,601.34; Charges, \$10,750.61; Revenue, \$1,110.60. Resolution needed. Estimated cost \$17,601.34; (\$12,202.50, contract; \$5,398.84, city furnished mat'l). Funds budgeted in Account 6804-50-101, Waterline Extension)

ACTION: Res. 74-211 adopted approving plans, specifications and bid call. (Clerk to handle)

HEARINGS

9. Annexation of Dry Creek Park No. 3 Addition to Modesto. 4:00 P.M.
Municipal Sewer District No. 1.

ACTION: Resolution 74-212 adopted (Dunlap/Kullijian, unan.) annexing Dry Creek Park No. 3 Addition to Modesto Municipal Sewer District. (Clerk to handle)

10. Request of Ecology Action Educational Institute for license to collect salvageable waste. 4:05 P.M.
(Ord. No. 1341-C.S. adopted (Elliott/Kullijian, unan.) granting three year license to collect salvageable waste including cardboard in residential areas. (emergency ordinance). Ord. No. 1342-C.S. introduced (Elliott/Kullijian, unan.) granting three year license to collect salvageable waste, including cardboard, in residential areas. (Clerk to handle).

By motion, Mensinger/Kullijian, unan) staff directed to meet with Ecology Action personnel and representatives of garbage companies (P/W to concerning collection of recyclable materials in commercial areas (handle)

11. Request of the Warden's Office for encroachment permit to allow planter to remain in public right of way. 4:10 P.M.

ACTION: Resolution 74-213 adopted (Elliott/Kullijian, unan.) granting encroachment permit. (Clerk to handle)

12. Request of Joe Trombetta for encroachment permit to allow a 4:15 P.M. two-brick high curbing to remain at the back of the sidewalk at 1640 W. Rumble.

Action: Res. 74-214 adopted (Simon/Elliott, unan.) granting encroachment permit. (Clerk to handle)

13. Matters for the good of the community.

Stella Marshall presented a 6-page document concerning zoning problems in the 13-15th Street, D-H Street area. It was agreed that copies would be furnished the Council. (Clerk to handle)

ORDINANCES

14. Final adoption of the following ordinances:

- (a) Ord. No. 1336-C.S. - Cable TV franchise.

ACTION: By motion (Kullijian/Elliott, maj., Newton, Davies, no, Simon, absent) ordinance adopted.

- (b) Ord. 1337-C.S. - Cablecom General franchise.

ACTION: By motion, (Kullijian/Elliott, maj., Newton, Davies, no, Simon absent) ordinance adopted.

CONSENT

- (c) Ord. 1340-C.S. - retirement system.

ACTION: By motion, ordinance adopted.

NEW BUSINESS

CONSENT

15. Resolution determining that public interest and convenience require that the Scenic-Encina Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing. (It is now necessary to commence proceedings to annex this addition to Modesto Municipal Sewer District No. 1. Resolution setting hearing May 6, 1974 at 4:05 P.M. needed (2/3 affirmative vote required).

ACTION: Resolution 74-215 adopted setting hearing. (Clerk to handle)

CONSENT

16. Resolution withdrawing the Scenic-Encina Addition from the Empire Fire District and McHenry-Dry Creek Fire District. (Resolution approving withdrawals needed)

ACTION: Resolution 74-216 adopted withdrawing Scenic-Encina Addition from Empire and McHenry-Dry Creek Fire Protection District. (Clerk to handle)

CONSENT

17. Consider approving final map of Eastridge 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. (The subdivision agreement has been signed and all fees paid. Eastridge No. 3 subdivision is located east of Sonoma Ave. north of Scenic Drive. It contains 11.65 acres. Resolution approving final map needed.)

ACTION: Res. 74-217 adopted approving final map. (Clerk to handle)

CONSENT

18. Resolution providing for notice of filing of assessment - Improvement District No. 20 (M20-22) (Street Lighting in various areas of City).

ACTION: Res. 1287-S.P. adopted providing for notice of filing, hearing April 22, 1974 at 8:00 P.M.) (Clerk to handle)

CONSENT

19. Consider approval of Security Costs agreement for the Modesto City-County Airport between the City of Modesto and United Air Lines, Inc.
(Memo with agenda. Resolution approving agreement needed)

ACTION: Resolution 74-218 adopted approving agreement. (Clerk to handle)

CONSENT

20. Consider amendment to Silvair Aviation fixed base operator lease agreement between the City of Modesto and Dr. Elise D. Schneider, dba Silvaire Aviation.
(Memo with agenda. Resolution approving agreement needed)

ACTION: Resolution 74-219 adopted approving agreement. (Clerk to handle)

CONSENT

21. Consider request for sewer service to property at 1203 Scenic Drive, located on the north side of Scenic between Bodem Avenue and Coffee Road.
(Property owners Cleveland and Eunice Mae Mathia have signed an agreement to annex when requested to do so by the City. The property is contiguous to the City Limits and a sewer main exists to serve it.)

ACTION: Resolution 74-220 adopted approving agreement. (Clerk to handle)

CONSENT

22. Consider addition of new streets to mandatory sidewalk program.
(Memo with agenda. Motion approving addition of streets as recommended)

ACTION: By motion, additional streets approved. (P/W to handle)

23. Consider preparation of an Airport Master Plan.
(Memo with agenda. Motion approving preparation of Airport Master Plan needed)

ACTION: By motion (Kullijian/Elliott, maj. - Simon, no) preparation of Airport Master Plan approved. (P/W to handle)

24. Consider request by property owners in Block 12320 and 12327 for sewer service.
(Memo with agenda. Motion approving needed)

ACTION: By motion, (Simon/Elliott, unan.) request approved. (P/W to handle)

25. Consider city hall expansion.
(Memo with agenda. Motion directing staff needed)

ACTION: Consideration of this item delayed for one week.

CONSENT

26. Accept improvements in Capistrano Park No. 1 Subdivision and authorize City Clerk to record notice of completion and release bonds upon expiration of statutory period.
(This subdivision is located east of Riverside Drive and north of Yosemite Blvd. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 74-221 adopted accepting improvements. (Clerk to handle)

CONSENT

27. Consider approval of agreement with Village Pharmacy to collect payments of water and sewer bills for the City of Modesto. (Water and sewer bills were collected in McHenry Village by the Village Drug Store which has changed ownership, name and location. The present owners, doing business as Village Pharmacy, have agreed to continue collections under the same terms. Resolution approving agreement needed Estimated cost \$300. Funds budgeted in Account 235-15-101, Services, Professional and Other)

ACTION: Resolution 74-222 adopted approving agreement. (Clerk to handle)

CONSENT

28. Request of Parking and Traffic Director to assist Santa Cruz. (Memo with agenda. Motion authorizing assistance to be given during off-duty hours needed)

ACTION: By motion, request granted subject to work being done during off-duty hours. (P & T to handle)

CONSENT

29. Request by City Attorney for permission to attend the League of California Cities Department Spring Meeting in Coronado, California May 1 - 3, 1974. (Funds for this conference have been budgeted in the City Attorney's budget for fiscal year 1973-74. Motion authorizing needed)

ACTION: By motion, request granted.

REPORTS

30. Report on request for increase in taxi rates. (Memo with agenda. An increase of 10¢ per mile to 70¢ per mile is recommended. An informal hearing at 7:35 P.M. on March 25, 1974 is suggested. Resolution setting informal hearing needed)

ACTION: Resolution 74-223 (Elliott/Dunlap, unan., Kullijian absent) adopted setting hearing. (Clerk to handle)

(Councilman Kullijian was excused from consideration of this item due to conflict of interest)

32. Report on Environmental Protection Agency's indirect source regulations. (Memo with agenda. Motion directing staff needed)

ACTION: By motion (Kullijian/Dunlap, unan.) participation in Petition for U. S. District Court approved and staff directed to communicate concerns over EPA regulations to EPA, Air Resources Board and Congressmen. (C/Atty and C/Mgr. to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

33. Trash and outdoor storage facilities for commercial developments. (Memo with agenda. Motion referring Board of Zoning Adjustment request for more staff for code enforcement to appropriation budget review session needed)

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

MISCELLANEOUS

34. Legislation,

ACTION: By motion (Mensingher/Elliott, una.) AB-2041 opposed.
(C/Mgr. to handle)

By motion (Dunlap/Kullijian, unan.) SB 1816 opposed.
(C/Mgr. to handle)

35. Appointments.

ACTION: Res. 74-224 adopted (Mensingher/Dunlap, unan.) appointing Robert J. Thompson as a member of the Planning Commission for a term ending January 1, 1976. (replacing John E. Griffin, Jr.) (Clerk to handle)

36. Matters too late for the agenda. (none)

Adjournment at 7:40 P.M.

ATTEST:



W. T. CHYNOWETH
City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, MARCH 25, 1974 AT 7:30 P.M.

Roll Call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Vice Mayor Simon

Absent: Mayor Davies
(Vice Mayor Simon presided)

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 6, 10, 12, 13,
Item 26 dropped from agenda 14, 16, 17, 18, 19, 20, 21, 23,
Elliott/Newton, unan. - Davies, absent 24, 25, ~~26~~, 27, 28, 29, 32, 33

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of March 18, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Appeal by Tanner & Peterson to Planning Commission denial of request for P-D zoning at northeast corner of Oakdale and Orangeburg to permit construction of a shopping center and 123-unit one and two story condominium project.
(Resolution setting April 22, 1974 at 7:30 P.M. for hearing needed)

ACTION: Res. 74-225 adopted setting hearing. (Clerk to handle)

CONSENT

3. Letter from American Association of University Women concerning low income housing.
(Motion ordering filed needed)

ACTION: By motion, letter ordered filed.

4. Request of Ecology Action Educational Institute that Council take action against garbage companies and grant franchise to Institute to collect in areas other than residential.

ACTION: By Order of the Chair, Institute permitted to continue collection of salvageable waste at Library and a hospital for the time being, and staff directed to include in their study the matter of whether or not the garbage companies are living up to their franchise terms as to recycling.

BIDS

5. Consider resolution awarding bid for 22 new police patrol vehicles. (Staff reports with agenda. Resolution needed. Estimated cost \$78,345.74. Funds budgeted in Account 5416-48-512, Service Division Capital Outlay, p. 142)

ACTION: Res. 74-226 adopted (Mensingers/Dunlap, unan. - Davies, absent) awarding contract to Central Valley Chrysler Plymouth, Inc. (Finance to handle)

CONSENT

6. Consider acceptance of R. M. Haugen & Sons contract for installation of waterlines in McHenry Ave. between Morris and Needham. Original contract \$23,835. (All work on this project has been completed to the satisfaction of the Public Works Dept. It would be in order to accept work as complete and to record notice of completion. Resolution accepting work needed. Final cost, contract, \$25,359.13. Funds budgeted in Account 6828-50-101, Strengthen Water System)

ACTION: Res. 74-227 adopted accepting contract. (Clerk to handle)

HEARINGS

7. Hearing on amendment to Section 11-3-8 to increase size of P-D(109) to allow construction of a storm drainage ponding basin adjacent to Hahn shopping center. 7:30 P.M.

ACTION: (Councilman Dunlap was excused from consideration of this item due to a possible conflict of interest)

Ord. No. 1343-C.S. introduced (Elliott/Kullijian, maj. - Mensinger, no - Dunlap and Davies, absent) amending Section 11-3-8 of the zoning map. (Clerk to handle)

Res. 74-228 adopted (Elliott/Kullijian, maj. - Mensinger, no - Dunlap and Davies, absent) amending Resolution 73-213 to amend conditions for a revised development plan. (Planning to handle)

8. Informal hearing on request for increase in taxicab rates. 7:35 P.M.

ACTION: (Councilman Kullijian was excused from consideration of this item due to a conflict of interest)

By motion (Elliott/Dunlap, unan.) staff directed to prepare ordinance increasing taxi rates as recommended by staff. (C/Atty to handle)

9. Matters for the good of the community. 7:40 P.M.
(These may be presented by interested persons in the audience)

ACTION: Wm. Ulm, member of the Farm-City Advisory Committee was introduced.

ORDINANCES

CONSENT

10. Authorize revised speed limits on Celeste Drive between Coffee Road and Oakdale Road and on Woodrow between Tully Road and McHenry within the city limits.
(A speed survey indicates an increase in the speed limit from 25 m.p.h. is needed on both of these streets before radar can be used for speed limit enforcement. Ordinance amending Section 3-2.1401.1 budgeted in Account 5301-56-101, Traffic Signs)

ACTION: Ord. No. 1344-C.S. introduced increasing speed limits to 30 m.p.h. (Clerk to handle)

11. Final adoption of Ordinance No. 1342-C.S. - Ecology Action Franchise.
(Motion adopting needed)

ACTION: By motion (Dunlap/Kullijian, unan.) Ord. No. 1342-C.S. adopted.
(Clerk to handle)

CONSENT

12. Consider ordinance amending Section 7-1.502 of Article 5 of Chapter 1 of Title VII of the Modesto Municipal code relating to curbs, gutters, sidewalks and driveway approaches.
(Memo with agenda. Introduction of ordinance needed)

ACTION: Ord. No. 1345-C.S. introduced adding requirement for repair of curbs, gutters, sidewalks and driveway approaches in connection with new construction. (Clerk to handle)

CONSENT

13. Probationary period for police officer entry level classifications.
(Request for amendment of Section 2-5.08 of the Modesto Municipal Code authorizing an 18-month probationary period for the positions of policeman and policewoman.
(Introduction of ordinance needed)

ACTION: Ord. No. 1346-C.S. introduced authorizing 18-month probationary period. (Clerk to handle)

UNFINISHED BUSINESS

CONSENT

14. Agreement with Cushman Motor Sales Company.
(Amendment to agreement with Cushman Motor Sales Company to provide special golf car rates for handicapped senior golfers. Resolution approving agreement needed)

ACTION: Res. 74-229 adopted approving amendment to agreement. (Clerk to handle)

NEW BUSINESS

CONSENT

16. Right of way acquisition, Needham Street, Travelodge.
(Memo with agenda. Resolution accepting grant deed and approving agreement and resolution accepting quitclaim deed and approving agreement needed. Estimated cost \$11,349. Funds budgeted in Account 6700-205, Needham, Hackberry to Nellie)

ACTION: Res. 74-230 adopted accepting grant deed from and approving agreement with property owners.
Res. 74-231 adopted accepting quitclaim deed from and approving agreement with tenants. (Clerk to handle)

CONSENT

17. Request of City Clerk for permission to attend City Clerk's Institute April 24 through 26 inclusive, and for vacation April 29 through May 3, inclusive. (Motion granting request needed)

ACTION: By motion, request granted.

CONSENT

18. Consider approving final map of Wesson Estates 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. (The subdivision agreement has been signed and all fees paid. Wesson Estates No. 1 Subdivision is located on the east side of Tully Road north of Hetch Hetchy right of way. It contains 14.425 acres. Resolution approving final map needed)

ACTION: Res. 74-232 adopted approving final map. (Clerk to handle)

CONSENT

19. Right of way, Needham Street, Glen W. and Evangeline G. Blizzard. (Memo with agenda. Motion authorizing City Manager to make demand for right of way needed)

ACTION: By motion, City Manager authorized to make demand upon Glen W. and Evangeline G. Blizzard for dedication of 12½ feet of right of way. (C/Mgr. to handle)

CONSENT

20. Accept improvements in Applegate No. 5 subdivision and authorize City Clerk to record notice of completion and release bonds upon expiration of statutory periods. (This subdivision is located north of Rumble Ave. between Prescott Road and Carver Road. All improvements have been completed to the satisfaction of the Public Works Department and all fees paid. Resolution accepting improvements needed)

ACTION: Res. 74-233 adopted accepting improvements. (Clerk to handle)

CONSENT

21. Request for approval of payment of moving expenses for City Manager as provided for in Resolution 73-986 appointing the City Manager. (Memo with agenda. Motion approving payment needed. Estimated cost \$587.87. Funds budgeted in Account 458-65-101, City Manager Recruitment)

ACTION: By motion, payment authorized. (Finance to handle)

22. Consider City participation in CETA Progm. (formerly PEP) for federally subsidized employment. (Memo with agenda. Motion indicating City's intent to participate in the program needed)

ACTION: By motion (Kullijian/Dunlap, unan.) participation on a limited scale (8 persons) approved. (Personnel to handle)

CONSENT

23. Right of way, Crows Landing Road, Manuel Sarmiento. (Memo with agenda. Resolution accepting quitclaim deed and approving right of way agreement needed. Estimated cost \$445. Funds budgeted in Account 6647-2-207, Misc. R/W & Improvements)

ACTION: Res. 74-234 adopted accepting quitclaim deed and approving agreement. (Clerk to handle)

CONSENT

24. Property acquisition-- Airport clear zone, Waldo and Patricia Nelson and others.
(Memos with agenda. Resolution accepting grant deed and approving agreement, and resolution authorizing temporary loan of \$200,000 to Airport Fund. Estimated cost \$86,000 for purchase of Nelson property)

ACTION: Res. 74-235 adopted accepting grant deed from and approving agreement with Waldo and Patricia Nelson. (Clerk to handle)

Res. 74-236 adopted authorizing temporary loan of \$200,000 from Fund 321 to Fund 230. (Finance to handle)

CONSENT

25. Consider termination of land lease at City-County Airport between Department of the Navy and City for Naval Reserve Facility.
(Memo with agenda. Resolution approving waiver of 60-day notice as required in Article 10 of the lease agreement, and terminating lease needed)

ACTION: Res. 74-237 adopted approving waiver of 60-day notice and terminating lease. (Clerk to handle)

~~CONSENT~~

26. Funds to cover losses at museum.
(Staff is requesting Council to authorize a procedure to cover small losses at Museum not covered by insurance. Resolution establishing procedure for City Manager to pay for losses at museum needed)

DROPPED FROM AGENDA

CONSENT

27. Request of Golden Valley Kennel Club to use Enslin Park.
(Memo with agenda. Motion granting request needed)

ACTION: By motion, Golden Valley Kennel Club permitted to use Enslin Park for dog show on May 19, 1974. (P & R to handle)

CONSENT

28. Notice from Bank of America of one hundred dollars (\$100.00) bequest to City.
(Letter from Bank of America notifying City that in the will of Anna M. Sido Brown there is a bequest of \$100 to Graceada Park Playground. (Motion expressing appreciation for bequest and authorizing City Manager to sign receipt needed)

ACTION: By motion, appreciation expressed for bequest and City Manager authorized to sign receipt for same. (C/Mgr to handle)

CONSENT

29. Request by City Attorney for vacation from April 8 through April 12, 1974.
(Motion approving request needed)

ACTION: By motion, request approved.

REPORTS

30. Report by Public Projects Committee on the Urban Growth Study.

ACTION: Res. 74-238 adopted (Dunlap/Mensing, unan. - Davies, absent) adopting seven-point Urban Growth Policy as recommended by Public Projects Committee.

By motion (Dunlap/Mensing, unan.) recommendation that no city services be provided or extended outside the current sanitary sewer service area prior to first annual review in October, 1974 approved. (P/W to handle)

31. Interim transit report.

(Memos with agenda. It discusses bus route 5 (North central Modesto) and a possible route on McHenry Avenue. Motion directing staff to develop or drop proposal needed.)

ACTION: By motion (Kullijian/Dunlap, unan.) staff directed to proceed with proposal for use of a minibus on Route 5 and a regular bus on McHenry Avenue. (P & T to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

32. Recommend amendment to Section 26-3-9 of the zoning map.

(Keystone Investment Co.)

(On March 19, 1974 the Planning Commission adopted Resolution No. 74-48 recommending an amendment to Section 26-3-9 of the zoning map to amend P-D(77) to increase the boundaries of P-D(77) and to provide for a minor change in the specified street alignment, property on the east side of Capistrano Drive and south of Bateman Lane. Resolution setting April 15, 1974 at 4:05 P.M. needed)

ACTION: Res. 74-239 adopted setting hearing. (Clerk to handle)

CONSENT

33. Recommend amendment to Section 8-3-9 of the zoning map (Rule Development - Standiford and Columbine)

(On March 19, 1974, the Planning Commission adopted Resolution No. 74-44, recommending an amendment to Section 8-3-9 of the zoning map to reclassify from One-Family Residential Zone, R-1, to Planned Development Zone, P-D, for a 28-unit, one-story apartment complex on the northwest corner of Standiford and Columbine Drive. Resolution setting April 15 at 4:10 P.M. for public hearing needed)

ACTION: Res. 74-240 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

34. Legislation.

ACTION: By motion (Kullijian/Dunlap, unan.) Circular No. A-70 of Office of Management and Budget opposed. (C/Mgr to handle)

35. Appointments.

NONE

36. Matters too late for the agenda.

ACTION: Res. 74-241 adopted (Dunlap/Kullijian, unan. - Davies, absent) setting April 15, 1974 at 4:15 P.M. as time for hearing appeal to Planning Commission denial of amendment to P-D(120) to permit free-standing signs at Alfred Matthews auto dealership. (Clerk to handle)

Adjournment at 10:05 P.M.

ATTEST:



W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, APRIL 1, 1974 AT 4:00 P.M.

Roll Call Present: Dunlap, Elliott, Kullijian, Mensinger, Vice Mayor Simon
Absent: Newton, Mayor Davies
(Vice Mayor Simon presided)

Pledge of allegiance to the Flag

Invocation by Reverend George Weber, First Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 8,
Item 21 removed from consent 11b, c, d, 14, 15, 16, 19,
Dunlap/Kullijian, unan. - Newton and 20, ~~XX~~
Mayor Davies, absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of March 25, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Notice of League of California Institute for new mayors and councilmembers to be held in Monterey, May 15-17, 1974.
(Motion ordering filed needed)

ACTION: By motion, Notice ordered filed.

BIDS

CONSENT

3. Consider approval of specifications and authorize call for bids to be opened April 23, 1974 at 2:30 P.M. for furnishing one new telescoping aerial lift and tool body for electrical work.
(Resolution needed. Estimated cost \$3,750. Funds budgeted in Account 5423/48-512, Service Division - Capital Outlay)

ACTION: Res. 74-242 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

4. Consider approval of specifications and authorize call for bids to be opened April 23, 1974 at 2:15 P.M. for furnishing one refuse packer truck for Parks use.
(Resolution needed. Estimated cost \$9,960. Funds budgeted in Account 5444-48/512, Service Division - Capital Outlay, P. 143)

ACTION: Res. 74-243 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

5. Consider approval of specifications and authorize call for bids to be opened April 23, 1974 at 2:00 P.M. for furnishing two (2) aerial towers, body and chassis.
(Resolution needed. Estimated cost \$45,859. Funds budgeted in Account 5429-5446/48/512, Service Division Capital Outlay, pp 142, 143)

ACTION: Res. 74-244 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

6. Consider award of contract for construction of improvement of El Vista Avenue from Miller Avenue to Edgebrook Drive.
(Bids were opened March 26, 1974. The low bid submitted by George Reed, Inc. was 38% below the Engineer's Estimate and is considered acceptable. The Public Works Department recommends that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$217,719 (contract, \$187,719; Engr. & Contg., \$30,000). Funds budgeted in Account 6704-1-207, El Vista, Edgebrook to Yosemite; 6704-205, El Vista, Edgebrook to Yosemite)

ACTION: Res. 74-245 adopted awarding contract to George Reed, Inc.
(P/W to handle)

CONSENT

8. Award contract for Senior Citizens parking lot expansion and approve \$24,010 appropriation transfer.
(The low bidder was Elrich Construction Co. at \$30,297. The bid is \$3,797 more than our estimate due to the higher costs of asphalt and lighting. Inspection and contingencies will cost an estimated \$4,105 for a total project cost of \$34,402. Parks and Recreation has \$10,392 budgeted for this project. Therefore, an additional \$24,010 is being requested by Parks and Recreation. Resolution awarding contract and resolution approving \$24,010 appropriation transfer needed. Estimated cost \$34,402; funds budgeted in Account 6322-31-321, Senior Citizens Parking Lot)

ACTION: Res. 74-246 adopted approving appropriation transfer of \$19,010 from Account 6329-31-321 and \$5,000 from Account 8315-31-321 to Account 6322-31-321. (Finance to handle)

Res. 74-247 adopted awarding contract to Elrich Construction Co. (P & T to handle)

HEARINGS

9. Hearing on requirement for construction of curb and sidewalk along East Fairmont Ave. at 960 El Terino Ave., a portion of Block 1045. (Bible Baptist Church - (74/01-06) 4:00 P.M.

ACTION: Res. 74-248 adopted (Dunlap/Kullijian, unan. - Newton and Mayor Davies, absent) ordering work done. (P/W to handle)

10. Matters for the good of the community. 4:05 P.M.
(These may be presented by interested persons in the audience)

ACTION: E. B. Gregg, Chairman of the Sherwood Forest Homeowner's Ass'n., presented a petition requesting that all annexation proceedings for Sherwood Forest No. 1 be stopped. By Order of the Chair, the petition was returned to Mr. Gregg and he was advised to present his protests at the protest hearing.

ORDINANCES

11. Final adoption of the following ordinances:

- (a) Ordinance No. 1343-C.S. - amending Section may 11-3-8 (Hahn)

ACTION: (Councilman Dunlap was excused from consideration of this item due to a conflict of interest)

A motion (Elliott/Kullijian) to adopt Ord. No. 1343-C.S. did not pass as Councilmember Mensinger voted no and Councilmember Dunlap, Newton and Mayor Davies were absent.

It was moved (Elliott/Kullijian) to reconsider. This motion will be voted on at the April 8, 1974 meeting. (Clerk to handle)

CONSENT

- (b) Ord. No. 1344-C.S. - amending speed limits.

CONSENT

- (c) Ord. No. 1345-C.S. - amending code re curbs, gutters, etc.

CONSENT

- (d) Ord. No. 1346-C.S. - amending code, personnel system.
(Motions adopting needed)

ACTION: By motion, Ord. Nos. 1344-C.S., 1345-C.S. and 1346-C.S. adopted.
(Clerk to handle)

12. An ordinance amending Section 4-6.307 of Article 3 of Chapter 6 of Title IV of the Modesto Municipal Code and adding section 4-6.217 thereto relating to taxicabs.

(This matter was considered by the Council at its meeting on March 25, 1974 at which time the staff was directed to prepare an ordinance to increase taxicab rates. A copy of the ordinance has been sent to the Mayor and council members. It amends Section 4-6.307 to increase the mileage rates from 60¢ for the first 1/6 mile to 70¢ for the first 1/7th mile or fraction thereof, and 10¢ for each additional one-seventh mile instead of 10¢ for each additional one-sixth mile. Section 4-7.217 has been added to the taxicab regulations and provides for the filing of an annual operating statement. Introduction of ordinance needed)

ACTION: (Councilman Kullijian was excused from consideration of this item due to a conflict of interest)

Ord. No. 1347-C.S. introduced (Elliott/Mensinger, unan. - Kullijian, Newton and Mayor Davies, absent) (Clerk to handle)

UNFINISHED BUSINESS

13. Consider city hall expansion.

(Memo with agenda on March 18. Motion directing staff needed)

ACTION: By motion (Dunlap/Elliott, unan.) staff authorized to start procedure for employment of architect. (C/Mgr to handle)

NEW BUSINESS

CONSENT

14. Consider acceptance of an easement for a storm drain across Southern Pacific Railway right of way.
(The improvement of Crows Landing Road includes the construction of a 30" storm drain across the railroad right of way. The easement permits the construction and maintenance of the drain and protects the railroad from liability due to the construction. Council has approved a cooperative agreement with the County to improve Crows Landing Road. Resolution needed)

ACTION: Res. 74-249 adopted accepting easement. (Clerk to handle)

CONSENT

15. Renewal of food concession at Beard Brook Park.
(Mr. Charles Wright has requested the renewal of a contract to operate a food concession at Beard Brook Park. The City's relationship with Mr. Wright regarding this concession has been most satisfactory, and it is recommended that the contract be renewed for one year. All the terms and conditions which applied under the last agreement will remain in force. Resolution approving agreement needed)

ACTION: Res. 74-250 adopted approving agreement. (Clerk to handle)

CONSENT

16. Consider request for sewer service to property at 624 Bystrom Road, location on the east side of Bystrom Road between Lombardo Avenue and Sonora Avenue.
(Owner Ernest Halcon has signed an agreement to annex when requested to do so by City. The property is not contiguous to the City, however, a line exists to serve it. Resolution approving agreement needed)

ACTION: Res. 74-251 adopted approving agreement. (Clerk to handle)

17. Discussion of National Flood Insurance program.

ACTION: City Manager requested to report in two weeks to Council as to expense to City if program is adopted. (C/Mgr to handle)

18. Consideration of S.A.A.G. organization.
(Copies of recommendations from the Organization Committee with agenda. Motion directing S.A.A.G. representatives needed)

ACTION: By motion (Dunlap/Elliott, unan.) support given to plan whereby Stanislaus County would have three votes, City of Modesto two votes, and all other members one vote each. (C/Mgr to handle)

REPORTS

CONSENT

19. Report on Windjammer bar and restaurant.
(Report with agenda. Resolution referring closure of alley to Planning Commission needed)

ACTION: Res. 74-252 adopted referring alley closure to Planning Commission for study and recommendation. (Planning to handle)

CONSENT

20. Additional report of physical inventory of City's assets.
(The charter provides that when a new City Manager takes office an inventory of all assets must be taken. This is the final report regarding the relationship of the Museum assets to the physical inventory. Motion accepting inventory needed)

ACTION: By motion, inventory accepted.

REPORTS FROM THE PLANNING COMMISSION

~~CONSENT~~

21. Uninhabited annexation of the City of Modesto - Lincoln-Penny Addition.
(The LAF Commission has authorized this annexation without notice or public hearing - March 22, 1974. Resolution approving annexation needed)

ACTION: Res. 74-253 adopted (Elliott/Kullijian, unan. - Newton and Mayor Davies, absent) annexing Lincoln-Penny Addition to City of Modesto. (Clerk to handle)

MISCELLANEOUS

22. Legislation.

ACTION: By motion (Dunlap/Mensing, unan.) AB 3215 opposed. (C/Mgr to handle)

23. Appointments.

NONE

24. Matters too late for the agenda.

ACTION: Councilman Kullijian reported that there will be a meeting of the Airport Advisory Committee on April 3 at which Charles Winger will be present to answer questions concerning the proposed Master Plan.

The City Attorney reported that the Supreme Court has stayed operation of the Conflict of Interest and Financial Disclosure laws for the time being.

25. The Council retired to executive session at 5:30 P.M. to discuss right of way acquisition for Needham Street and returned to open meeting at 5:48 P.M.

ACTION: Res. 74-254 adopted (Dunlap/Elliott, unan. - Kullijian, Newton and Mayor Davies, absent) approving agreement for purchase of property from Wm. G. McDowell, et ux for \$41,000. (Clerk to handle)

(Councilman Kullijian excused himself from consideration of this item due to a long-standing friendship with Mr. McDowell)

Adjournment at 5:52 P.M.

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, APRIL 8, 1974 AT 7:30 P.M.

Roll Call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Vice Mayor Simon

Absent: Mayor Davies
(Vice Mayor Simon presided)

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8,
Newton/Mensinger, unan. - Mayor Davies, 9, 10, 11, 17, 19, 20, 20A, 21,
absent 22, 23, 24

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of April 1, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request of R. B. Welty for permission to pave between lot line and existing pavement at 11th Street and Morton Blvd.
(Resolution setting April 15, 1974 at 4:20 P.M. for informal hearing needed)

ACTION: Res. 74-255 adopted setting hearing. (Clerk to handle)

CONSENT

3. Letter concerning vacancies on Human Rights Commission.
(Motion ordering letter filed needed)

ACTION: By motion, letter ordered filed.

BIDS

CONSENT

4. Consider acceptance of W. M. Lyles contract for replacement of sewer lines in Chabot Court and John Muir Court.
(Original contract price \$17,927.625. All work on this project has been completed to the satisfaction of the Public Works Department. 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 \$17,589.80. Funds budgeted in Account 6582-212, Chabot Court line replacement, and 6581-212, John Muir Court line replacement)

ACTION: Res. 74-256 adopted accepting contract. (Clerk to handle)

CONSENT

5. Consider acceptance of Lee Cain's contract for Project #4 construction of curbs and driveways on Village Road. Original contract \$12,300. (All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution needed. Final cost \$12,600.13. Funds budgeted in Accounts 5301-51-101, Curbs and Gutters, and 321-51-101, Construction Material)

ACTION: Res. 74-257 adopted accepting contract. (Clerk to handle)

CONSENT

6. Consider acceptance of Valley Construction's contract for installation of waterlines in Coleman Acres #3, Coffee Villa, Lincoln Square, and Flintridge Estates #1. Original contract, \$19,528.50. (All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work needed. Final cost \$18,315.87 (Main: \$15,270.87; Service \$3,045.00). Funds budgeted in Accounts 6804-50-101, Waterline Extension, and 5301-50-101, New Services)

ACTION: Res. 74-258 adopted accepting contract. (Clerk to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for waterline extension on Crows Landing Road. (Suggested bid opening date April 23, 1974 at 10:00 A.M. This is a water system strengthening project and has been scheduled prior to the rebuilding of Crows Landing Road. Resolution needed. Estimated cost \$62,711.76 (\$47,121.50; contract; \$15,590.26, Mat'l). Funds budgeted in Account 8828-50-101, Waterline Strengthen)

ACTION: Res. 74-259 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for construction of sanitary sewer in Beard Brook Park. (Suggested bid opening date April 23, 1974 at 10:10 A.M. This sewer line is needed to eliminate the septic tanks which are being used for the restrooms and swimming pool at Beard Brook Park. Resolution needed. Estimated cost \$14,480.00 (\$14,230.00; Const; \$250.00 Eng.) Funds budgeted in Account 31-8365-321, Beard Brook Sewer)

ACTION: Res. 74-260 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

9. Consider award of contract for installation of waterlines in Old Orchard No. 3. (Bids were opened April 2, 1974. The low bid submitted by Robco Construction Co., 22% under the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution needed. Estimated cost \$9,521.85; funds budgeted in Account 6804-50-101, Waterline Extension)

ACTION: Res. 74-261 adopted awarding contract to Robco Construction Co. (P/W to handle)

CONSENT

10. Consider acceptance of William Mineni's contract for construction of Del Webb Field dressing and restroom facilities. Original contract \$55,595.00
(All work on this project has been completed to the satisfaction of the Parks and Recreation Department and the Public Works Department. 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, contract, \$54,731.00. Funds budgeted in Account 6400-31-321, Del Webb Dressing Room)

ACTION: Res. 74-262 adopted accepting contract. (Clerk to handle)

CONSENT

11. Consider award to lowest responsible bidder, Motorola, Inc., to furnish four portable radios.
(Memo and tabulation with agenda. Resolution awarding contract needed. Estimated cost \$4,515.00. Funds budgeted in Account 5406-22-101, Capital Outlay)

ACTION: Res. 74-263 adopted awarding contract to Motorola, Inc.
(Finance to handle)

HEARINGS

12. Hearing, annexation of Carpenter-Woodland No. 1 Addition to City of Modesto. 7:30 P.M.

ACTION: Res. 74-264 adopted (Dunlap/Kullijian, unan. - Mayor Davies, absent) declaring no majority protest made. (Clerk to handle)

Ord. No. 1348-C.S. adopted (Dunlap/Kullijian, unan. - Mayor Davies, absent) annexing Carpenter-Woodland No. 1 Addition to City of Modesto. (Clerk to handle)

13. Hearing, annexation of McHenry-Rumble No. 3 Addition to City of Modesto. 7:35 P.M.

ACTION: Res. 74-265 adopted (Dunlap/Newton, unan. - Mayor Davies, absent) declaring no majority protest made. (Clerk to handle)

Ord. No. 1349-C.S. adopted (Dunlap/Newton, unan. - Mayor Davies, absent) annexing McHenry-Rumble No. 3 Addition to City of Modesto. (Clerk to handle)

14. Matters for the good of the community. 7:40 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

15. Final adoption of Ordinance 1347-C.S. - relating to taxicabs.
(Motion adopting needed)

ACTION: (Councilman Kullijian was excused from consideration of this item due to a conflict of interest)

By motion (Dunlap/Mensing, unan. - Kullijain and Mayor Davies, absent) Ord. No. 1347-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

16. Vote on motion (Elliott/Kullijian) to reconsider final adoption of Ordinance No. 1343-C.S. (Amendment to Section 11-3-8 of zoning map - Hahn)

ACTION: (Councilman Dunlap was excused from consideration of this item due to a conflict of interest)

The motion was passed by unanimous vote. The motion (Elliott/Kullijian) to adopt Ord. No. 1343-C.S. then carried with Councilmember Mensinger voting no and Dunlap and Davies, absent. (Clerk to handle)

NEW BUSINESS

CONSENT

17. Request by Councilman Harry Kullijian for permission to attend the League of California Cities New Mayors and City Council Institute in Monterey, May 15-17, 1974. (Motion approving request needed. Estimated cost \$220. Funds budgeted in Account 207-7-101, Conference Expense)

ACTION: By motion, request approved.

18. Girl Scout Clubhouse - Beard Brook Park.
(Memo with agenda. Motion approving demolition needed. Cost not known at this time)

ACTION: Councilmember Mensinger was excused from consideration of this item due to a conflict of interest)

By motion (Elliott/Dunlap, unan.) demolition approved.
(P & R to handle)

CONSENT

19. Consider request for sewer service to the following properties:
(1) 2220 Ada Street, located on the southeast corner of Meta Court and Ada Street; (Property owners, Boyce and Bertha Chester)
(2) 2230 Ada Street, located on the southwest corner of Colfax Avenue and Ada Street. (Property owners, Delbert & Linda Cheney)
(Two resolutions approving agreements needed. The property owners have signed agreements to annex when requested to do so by City. The property is not contiguous to the City, and a line must be extended to serve the property)

ACTION: Res. 74-266 adopted approving agreement with Boyce Chester, et ux.
Res. 74-267 adopted approving agreement with Delbert Cheney, et ux.
(P/W to handle)

CONSENT

20. Consider request of Thompson Water Company to construct a new well and pumping facilities on its property at 1415 Sunrise Avenue, Modesto.
(Memo with agenda. Resolution approving request needed)

ACTION: Res. 74-268 adopted approving request. (P/W to handle)

CONSENT

20A. Requirement for construction of curbs and gutters and/or sidewalks at the locations listed below. (74/01 - 01, 02, 04, 08-12)
(Informal requests were sent to the property owners over 30 days ago. As the work has not been done, it is recommended that a resolution be adopted instructing the Superintendent of Streets to give notices. Resolution setting 4:10 P.M. May 6, 1974 for hearings needed)

- (a) Curb at 402 Helen Avenue, Lot 1 of Block 614. (Ruth D. Brock)
- (b) Sidewalk along Covena Ave. at 1501 Roble Ave., Lot 10, Block 2095. (Laura M. DeSilva)
- (c) Sidewalk at 424 Covena Ave., Lot 16 of Block 2095. (Lemoin E. Vaughn)
- (d) Curb along Griswold Avenue at 414 Griswold Ave., Lot 1, Block 713. (Jane F. Erkenbrecher)
- (e) Curb along Griswold Ave. at 520 Griswold Ave., Lot 8 and N 15'-7, Block 714. (Louise Friedman)
- (f) Curb along Griswold Ave. at 905 Brady Ave., portion of Block 720. (James P. McCormick)
- (g) Curb along Griswold Ave. at 829 Brady Ave., Lot 1 and N 15'- 2 of Block 714. (Frank Paradis)
- (h) Curb along Griswold Ave. at 821 Hackberry Ave., Lot 51 of Block 717. (Joi G. Wilhelm)

ACTION: Res. 74-269 adopted setting hearing. (P/W to handle)

REPORTS

CONSENT

21. Presentation of financial statement for March, 1974.
(Copies of report will be presented at meeting; motion accepting report needed)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

22. Trash and outdoor storage facilities for commercial developments.
(Memo with agenda. Motion referring Board of Zoning Adjustment request for more staff for code enforcement to appropriate budget review session needed)

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

CONSENT

23. County referral of five open space contracts: No. 75-1817, Sandra Ostler, Floyd near Esta; 75-1818, Shirlee Court, Floyd near Roselle; 75-1819, Warren Lawson, Floyd at Esta; 75-1820, Smith Lawson Enterprises, Floyd at Fine; 75-1826, Charlotte Pike, Woodland near Morse.
(Five memos with agenda. Five resolutions expressing recommendations of opposition needed)

ACTION: Res. 74-270 adopted expressing recommendation of opposition to No. 75-1817.

CONSENT

23. County referral of five open space contracts, continued

- ACTION: Res. 74-271 adopted expressing recommendation of opposition to No. 75-1818.
- Res. 74-272 adopted expressing recommendation of opposition to No. 74-1819.
- Res. 74-273 adopted expressing recommendation of opposition to No. 75-1820.
- Res. 74-274 adopted expressing recommendation of opposition to No. 74-1826.
(Clerk to handle)

CONSENT

24. Recommend to the Council the adoption of specific plans for Dale Road and Sisk Road.
(On February 19, 1974 the Planning Commission adopted Resolutions Nos. 74-27, 74-28, and 74-29 recommending to the City Council the adoption of specific plans for the following streets: (1) Dale Road between Briggsmore Ave. and Beckwith Road; (2) Sisk Road between Beckwith Road and Pelandale Ave.; and (3) Dale Road between Standiford Ave. and the north city limits. Three resolutions setting April 22, 1974 at 7:35 P.M. for public hearings needed)

- ACTION: Res. 74-275 adopted setting hearing for Dale Road between Briggsmore and Beckwith.
- Res. 74-276 adopted setting hearing for Sisk Road between Beckwith and Pelandale.
- Res. 74-277 adopted setting hearing for Dale Road between Standiford and north city limits. (Clerk to handle)

MISCELLANEOUS

25. Legislation.

ACTION: By motion (Kullijian/Newton, unan.) SB 1786 opposed. (C/Mgr to handle)

26. Appointments.

NONE

27. Matters too late for the agenda.

ACTION: It was agreed that the next City-County Liaison Committee meeting agenda should include a discussion of progress concerning Emergency No. 911. (C/Mgr to handle)

By Order of the Chair, staff directed to check with the League concerning city ordinances requiring gas stations to post gas prices and hours of operation. (C/Mgr to handle)

Adjournment at 8:05 P.M.

ATTEST: 
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, APRIL 15, 1974 AT 4:00 P.M.

Roll Call Present: Dunlap, Elliott, Kullijian, Mensinger, Vice Mayor
Simon

Absent: Newton, Mayor Davies
(Vice Mayor Simon presided)

Pledge of allegianceto the Flag.

Invocation by Lowell Coey, First Church of the Nazarene

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, ~~3~~, 4, 5, 7, 8, 9,
Item 3 removed from consent 10, 17, 18, ~~20~~, 20, 21, 22,
Item 19 dropped from agenda 24, 26, 27, 28, 29
Dunlap/Kullijian, unan. - Newton and
Mayor Davies, absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of April 8, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Request of California Athletic Club, Inc. for cancellation of city admission tax on wrestling shows.

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

~~CONSENT~~

3. Appeal by Robert D. Watson to conditions imposed by Board of Zoning Adjustment in connection with conditional use permit for parking area on McHenry, north of Roseburg.
(Resolution setting May 13, 1974 at 7:30 P.M. for hearing needed)

ACTION: (Councilmember Mensinger was excused from consideration of this item due to a conflict of interest)

Res. 74-278 adopted (Elliott/Kullijian, unan. - Mensinger, Newton, and Mayor Davies, absent) setting hearing. (Clerk to handle)

CONSENT

4. Request of Stone Bros. and Associates for waiver of \$5,621 water fees and \$5,941 sewer fees for Sylvan Meadows subdivision in the event code is revised to permit the waiver.
(Motion referring to staff for report needed)

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

CONSENT

- 5. Request of Stone Bros. and Associates for study of water connection acreage fees and sewer connection fees based on acreage. (Motion referring to staff for report needed)

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

- 6. Request of Lyng's Pet Shop for discussion of ordinance prohibiting sale of ducklings, bunnies and chicks.

ACTION: By motion (Elliott/Kullijian, unan.) staff directed to take steps toward revision of Ordinance No. 754-N.S. terms to delete restrictions on sale of chicks, rabbits, ducklings or other fowl; staff to check with Humane Society and Stanislaus County Veterinary Society in connection with this. (C/Atty to handle)

BIDS

CONSENT

- 7. Consider approval of specifications and authorize call for bids to be opened at 2:00 P.M. on April 30, 1974 for furnishing one street light maintenance truck. (Resolution needed. Estimated cost \$23,000. Funds budgeted in Account 5428-48-512, Service Division Capital Outlay)

ACTION: Res. 74-279 adopted approving specifications and bid call. (Clerk to handle)

CONSENT

- 8. Consider award of contract for office addition at Building No. 3 at the Corporation Yard. (Bids were opened April 2, 1974. The low bid of \$17,180, which is 14.5% over the estimate, is considered acceptable. The bidders indicated that the bids were higher than the estimate due to recent increases in material costs. It is recommended that the contract be awarded to William M. Mineni. Resolution awarding contract and resolution approving appropriation transfer of \$12,500 needed. Funds budgeted in Account 6548-41-321, Service Yard Bldg. #3 Modification)

ACTION: Res. 74-280 adopted awarding contract to William Mineni. (P/W to handle)

Res. 74-281 adopted approving appropriation transfer of \$12,500 from Account 6626-41-321 to Account 6548-41-321. (Finance to handle)

CONSENT

- 9. Consider approval of plans, specifications and call for bids for installation of waterlines in Eastridge No. 3, Havenbrook Park, and Sunrise Townhouses Phase I.

(Suggested bid opening date April 30, 1974 at 10:00 A.M.)

<u>Costs & Revenues</u>	<u>Eastridge #3</u>	<u>Havenbrook Park</u>	<u>Sunrise #1</u>
Construction	20,599.46	14,315.96	11,744.09
Conn. Charges	8,360.00	7,260.00	11,138.90
Net Revenue	661.00	574.20	612.00

(Resolution needed. Estimated cost \$46,689.51 (\$37,977.50 Contract, \$8,712.01, Latl.) Funds budgeted in Account 6804-50-101, Waterline Ext., New Services)

ACTION: Res. 74-282 adopted approving plans and specifications and bid call. (Clerk to handle)

10. Call for bids for leasing a small van-bus (15 seats).
(Memo with agenda. Van would be used on Route 5 (McHenry Village)
thereby freeing the present bus for a 90-day trial on McHenry Avenue.
Resolution approving specifications and call for bids at 2:00 P.M.
May 7, 1974 needed. Estimated cost not known)

ACTION: Res. 74-283 adopted approving specifications and bid call.
(Clerk to handle)

HEARINGS

11. Hearing, annexation of North McHenry No. 1 Addition 4:00 P.M.
to Modesto Municipal Sewer District No. 1.

ACTION: Res. 74-284 adopted (Kullijian/Mensing, unan. - Newton and
Mayor Davies, absent) annexing North McHenry No. 1 Addition
to Modesto Municipal Sewer District No. 1. (Clerk to handle)

12. Hearing on amendment to Section 26-3-9 of zoning map 4:05 P.M.
to increase boundaries of P-D(77) and to provide for
a minor change in street alignment, property on east side
of Capistrano Drive and south of Bateman Lane. (Keystone
Investment Co.)

ACTION: Res. 74-285 adopted (Dunlap/Elliott, unan. - Newton and
Mayor Davies, absent) approving development plan. (Planning
to handle)

Ord. No. 1350-C.S. introduced (Dunlap/Elliott, unan. - Newton
and Mayor Davies, absent) amending Section 26-3-9 of zoning map.
(Clerk to handle)

13. Hearing on amendment to Section 8-3-9 of zoning map 4:10 P.M.
to rezone from R-1 to P-D for a 28-unit, one-story
apartment complex on the northwest corner of Standiford
and Columbine Drive. (Rule Development)

ACTION: Res. 74-286 adopted (Dunlap/Elliott, unan. - Newton and Mayor
Davies, absent) approving development plan. (Planning to handle)

Ord. No. 1351-C.S. introduced (Dunlap/Elliott, unan. - Newton
and Mayor Davies, absent) amending Section 8-3-9 of the zoning
map. (Clerk to handle)

14. Appeal to decision of Planning Commission denying 4:15 P.M.
request for amendment to P-D(120) to allow two
freestanding signs at the Alfred Mathews, Inc. dealer-
ship at 3807 McHenry Avenue.

ACTION: Res. 74-287 adopted (Kullijian/Elliott, maj. - Dunlap, no -
Newton and Mayor Davies, absent) approving revised development
plan to allow signs for as long as code permits (This is now
fixed at 1/1/82). (Planning to handle)

Ord. No. 1352-C.S. introduced (Kullijain/Elliott, maj. - Dunlap,
no - Newton and Mayor Davies, absent) amending P-D(120). (Clerk
to handle)

15. Informal hearing on request of R. E. Welby for permission to pave between lot line and existing pavement at 11th Street and Morton Boulevard.

4:20 P.M.

ACTION: Res. 74-288 adopted (Kullijian/Elliott, unan. - Newton and Mayor Davies, absent) granting variance for paving, subject to conditions recommended by Director of Public Works. (P/W to handle)

16. Matters for the good of the community. 4:25 P.M.
(These may be presented by interested persons in the audience)

NONE

NEW BUSINESS

CONSENT

17. Resolution withdrawing the Lincoln-Penny Addition from the Empire Fire District.
(This area was annexed to the City of Modesto effective April 4, 1974. Resolution withdrawing area from fire district needed)

ACTION: Res. 74-289 adopted withdrawing Lincoln-Penny Addition from Empire Fire Protection District. (Clerk to handle)

CONSENT

18. Resolution determining that the public interest and convenience require that the Lincoln-Penny Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing.
(It is now necessary to commence proceedings to annex this addition to the Modesto Municipal Sewer District. Suggested hearing date May 28, 1974 at 7:30 P.M. Resolution setting hearing needed (2/3 affirmative required))

ACTION: Res. 74-290 adopted setting hearing. (Clerk to handle)

~~CONSENT~~

19. Consider approval of an easement across the Tidewater Southern Railway property.
(The improvement of Crows Landing Road requires the acquisition of right of way from the Railroad. The Railroad has offered an easement which will permit the installation of utilities and the construction of the street while negotiations for the right of way continue. The required right of way is from commercial property owned by the Railroad. Resolution accepting the easement needed)

DROPPED FROM AGENDA

CONSENT

20. Consider authorizing the Modesto Police Department to participate in the Stanislaus County Drug Enforcement Unit.
(The Stanislaus County Sheriff's Department has received funding to create a centralized County Drug Enforcement Unit to be comprised of members from various city and county agencies. Emphasis is to be placed on apprehending the major narcotics dealers in Stanislaus County. The Modesto Police Department would provide five officers for this unit. Resolution needed. No additional financing needed)

ACTION: Res. 74-291 adopted authorizing participation in program. (Police to handle)

CONSENT

21. Consider approval of the final map of Wyldewood Estates No. 5 Subdivision of the City of Modesto and authorize an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.
(The subdivision agreement has been signed and all fees paid. Wyldewood Estates No. 5 subdivision is located on the south side of East Orangeburg Avenue west of Oakdale Road. It contains 6.271 acres. Resolution approving final map needed)

ACTION: Res. 74-292 adopted approving final map. (Clerk to handle)

CONSENT

22. Consider adoption of the 1973 Uniform Building, Plumbing and Mechanical Codes.
(Memo with agenda. Resolution setting an informal public hearing for Monday, April 22, 1974 at 7:40 P.M. needed)

ACTION: Res. 74-293 adopted setting hearing. (Clerk to handle)

23. Consider alley paving program procedures.
(Memo with agenda. Motion authorizing staff to proceed with the alley improvement program needed)

ACTION: By motion (Elliott/Kullijian, unan.) staff directed to proceed.
(P/W to handle)

REPORTS

CONSENT

24. Report on National Flood Insurance Program.
(Motion accepting report needed)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

26. Revised tentative subdivision map, Poppypatch No. 2 Subdivision.
(On April 2, 1974 the Planning Commission approved the revised tentative map of the above subdivision and found that said subdivision, together with its design and improvements, is consistent with applicable general and specific plans of the City. The City Council is required to make the same findings. An environmental assessment of the subdivision has been made and negative declaration has been filed. Resolution making findings needed)

ACTION: Res. 74-294 adopted making findings. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

27. Transfer of funds for park acquisitions.
(Memo with agenda. Resolution approving appropriation transfers needed. Total amount to be transferred \$25,000)

ACTION: Res. 74-295 adopted approving appropriation transfer of \$25,000 from Account 6392-31-321 to Account 6416-31-321 (\$10,000) and Account 6391-31-321 (\$15,000). (Finance to handle)

CONSENT

28. Consider approval of appropriation transfer from General Reserve to Waterline Extension account.
(This account is used to provide water service to new subdivisions. Continuing subdivision development requires additional funding. Resolution approving transfer of \$25,000 needed)

ACTION: Res. 74-296 adopted approving appropriation transfer of \$25,000 from Account 60-101 to Account 6804-50-101. (Finance to handle)

CONSENT

29. Consider approval of appropriation transfer from the General Reserve to the New Services (Water) account.
(The money in this account has been used to provide new water services in subdivisions. The number of new services in subdivisions has exceeded our estimates and it is therefore recommended that additional money be appropriated. Resolution approving transfer of \$10,000 needed)

ACTION: Res. 74-297 adopted approving appropriation transfer of \$10,000 from Account 60-101 to Account 5301-50-101. (Finance to handle)

MISCELLANEOUS

30. Legislation.

ACTION: By motion (Elliott/Kullijian, unan.) SB 1930 opposed. It was agreed that more information would be obtained on SCA 44. (C/Mgr to handle)

31. Appointments.

ACTION: By motion (Kullijian/Elliott, unan.) Frank Muratore recommended for appointment by Board of Supervisors to Stanislaus County Planning Commission for unexpired term of Kenneth Marple. (C/Mgr to handle)

32. Matters too late for the agenda.

ACTION: A motion (Mensingher/Elliott) directing staff to investigate priorities for improvement of Prescott and Beckwith interchanges died when the second was withdrawn. By Order of the Chair, the staff was directed to make a report to Council on this matter.

Councilman Kullijian reported that the County will call a meeting in May to discuss Emergency No. 911.

Adjournment at 6:30 P.M.

ATTEST


W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, APRIL 22, 1974 AT 7:30 P.M.

Roll Call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Vice Mayor Simon
Absent: Mayor Davies
(Vice Mayor Simon presided)

Pledge of allegiance to the Flag.

Invocation by Reverend Peter Johansen, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 9,
Item 20 removed from consent 17a, 17b, 19, ~~20~~, 21, 22, 23, 25,
Dunlap/Newton, unan. - Mayor Davies, 26, 27, 28, 29
absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of April 15, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Invitation from Modesto Civitan Club to attend Scout Fair April 27 at Modesto Junior College.
(Motion ordering filed needed)

ACTION: By motion, letter ordered filed.

CONSENT

3. Request of Modesto City Employees' Association that City pay \$282 toward costs of Industrial League softball team.
(Motion approving payment needed)

ACTION: By motion, payment authorized. (Finance to handle)

BIDS

CONSENT

4. Approve plans and specifications and call for bids for improvement of Scenic Drive from Downey Ave. to County Hospital.
(Bid opening May 21, 1974 at 10:00 A.M. This project is part of the City's select street system. It will be a federal aid project. The Federal Government's share of the cost is estimated to be \$108,740.00. Resolution approving bid call needed. Estimated cost \$247,000.00 (Contract \$196,000.00; Engr. and Contg. \$51,000.00). Funds budgeted in Account 6738-1-207, Scenic, Burney to County Hospital)

ACTION: Res. 74-298 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

5. Consider approval of plans, specifications and call for bids for resurfacing of tennis courts in Roosevelt Park. (Suggested bid opening date May 7, 1974 at 10:00 A.M.. This project will restore the surface of the existing tennis courts at Roosevelt Park. Resolution needed. Estimated cost \$15,500.00 (\$15,000 Const., \$500 Engr.). Funds budgeted in Account 6368-31-321, Roosevelt Tennis Resurfacing)

ACTION: Res. 74-299 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

6. Consider approval of plans, specifications and call for bids for Airport Development Aid Program (ADAP) No. 8-06-0153-02. Authorize payment of \$14,014.92 to International Engineering Company, Inc. (Bid opening May 14, 1974 at 2:00 P.M. Memo with agenda. Two resolutions needed, one approving plans, specifications and bid call, and one authorizing payment to International-Engineering Company, Inc. Funds budgeted in Accounts 6482, Main Runway Taxiway Light Cable Replacement; 6486, Run-up Pad Overlay; 6487 - Intensity Runway Light; 6488 - Clear Zone Land Acquisition; 6490 - Access Road Fire Department; 6507 - Tie-down Overlay, Stage 3)

ACTION: Res. 74-300 adopted approving plans and specifications and bid call. (Clerk to handle)

Res. 74-301 adopted authorizing payment of \$14,014.92 to International Engineering Co., Inc. (Finance to handle)

CONSENT

7. Consider acceptance of Teichert Construction Inc.'s contract for maintenance and authorize the Tidewater Southern Railroad crossing at Morris be opened to traffic with stop signs. (Memo with agenda. Two resolutions needed (1) Accepting the work for maintenance; (2) Authorize stop signs to be installed and the railroad crossing to be opened to traffic)

ACTION: Res. 74-302 adopted accepting project for maintenance. (Clerk to handle)

Res. 74-303 adopted authorizing installation of stop signs and opening of crossing to traffic. (P & T to handle)

CONSENT

8. Call for bids for City-County project to install traffic signals and street lights at Coffee and Lucern. Estimated cost is \$16,000 and is to be shared with County on a 50% - 50% basis. (Scheduled completion date is November 29, 1974. Resolution approving bid call to be opened May 21, 1974 at 2:00 P.M. needed. Funds budgeted in Account 6149-56-321, Traffic Signals Coffee and Lucern)

ACTION: Res. 74-304 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

9. Consider acceptance of Industrial Electric's contract for construction of electrical service to Del Webb Field Dressing Room. (Original contract \$4,940. All work on this project has been completed to the satisfaction of the Public Works and Parks Departments. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work needed. Final cost \$4,940. Funds budgeted in Account 6400-31-321, Del Webb Dressing Room)

ACTION: Res. 74-305 adopted accepting contract. (Clerk to handle)

HEARINGS

10. Appeal by Tanner & Peterson to Planning Commission denial of request for P-D zoning at northeast corner of Oakdale and Orangeburg to permit construction of a shopping center and 123-unit one and two-story condominium project. 7:30 P.M.
- ACTION: By motion (Kullijian/Dunlap, unan.) hearing continued to June 24 at 7:30 P.M. It was agreed that a study would be made prior to this date to develop criteria for matters of this type and that the Acting Mayor will appoint a committee for this purpose.
11. Hearing on specific plan for Dale Road between Briggsmore and Beckwith. 7:35 P.M.
- ACTION: By motion (Kullijian/Dunlap, unan.) hearing continued to May 13 at 7:35 P.M.
12. Hearing on specific plan for Sisk Road between Beckwith and Pelandale. 7:35 P.M.
- ACTION: By motion (Kullijian/Dunlap, unan.) hearing continued to May 13 at 7:35 P.M.
13. Hearing on specific plan for Dale Road between Standiford and north city limits. 7:35 P.M.
- ACTION: By motion (Kullijian/Dunlap, unan.) hearing continued to May 13 at 7:35 P.M.
14. Informal hearing on adoption of 1973 Uniform Building, Plumbing and Mechanical Codes. 7:40 P.M.
- ACTION: Ord. No. 1353-C.S. introduced (Kullijian/Dunlap, unan.) - Mayor Davies, absent) adopting 1973 Uniform Building Code.
- Ord. No. 1354-C.S. introduced (Kullijian/Dunlap, unan.) - Mayor Davies, absent) adopting 1973 Uniform Plumbing Code.
- Ord. No. 1355-C.S. introduced (Kullijian/Dunlap, unan.) - Mayor Davies, absent) adopting Uniform Mechanical Code. (Clerk to handle)
15. Matters for the good of the community. 7:45 P.M.
(These may be presented by interested persons in the audience)
- ACTION: The Manager of Cablecom General of Modesto made a status report on CATV installation work.
- The Council was informed of a Bike-A-Thon to be held May 11 to raise funds for cancer research.
- Larry Ammerman, Youth in Government Day City Clerk, was introduced.
16. Hearing on Improvement District No. 20 Assessment. 8:00 P.M.
- ACTION: Res. 1288-S.P. adopted (Elliott/Newton, unan. - Mayor Davies, absent) confirming proceedings and assessment. (Clerk to handle)

ORDINANCES

Final adoption of the following ordinances:

CONSENT

(a) Ord. No. 1350-C.S. - amending Section map 26-3-9, Keystone Investment Co.
(Motion adopting needed)

ACTION: By motion, Ord. No. 1350-C.S. adopted. (Clerk to handle)

CONSENT

(b) Ord. No. 1351-C.S. - amending Section 8-3-9 of zoning map - Rule Development.
(Motion adopting needed)

ACTION: By motion, Ord. No. 1351-C.S. adopted. (Clerk to handle)

(c) Ord. No. 1352-C.S. - amending P-D(120) - James Clarke.
(Motion adopting needed)

ACTION: By motion, Ord. No. 1352-C.S. adopted (Kullijian/Elliott, maj. - Dunlap, no - Newton and Mayor Davies, absent). (Clerk to handle)

NEW BUSINESS

18. Resolution commending Modesto Police Reserves.

ACTION: Res. 74-306 adopted (Kullijian/Dunlap, unan. - Mayor Davies, absent) commending Modesto Police Reserves. (Personnel to handle)

CONSENT

19. Consider request of Trans National Airlines, Inc., to do business at the Modesto City-County Airport, as well as the requested amendment to the agreement between the City of Modesto and Walter J. Van Heukelem to act as Trans National Airlines, Inc.'s agent. (Memo with agenda. Two resolutions needed (1) approving amendment to agreement with Walter J. Van Heukelem dba Modesto Exec-Air, and (2) approving agreement with Trans National Airlines, Inc.)

ACTION: Res. 74-307 adopted approving amendment to agreement with Van Heukelem.

Res. 74-308 adopted approving agreement with Trans National Airlines, Inc. (Clerk to handle)

CONSENT

20. Consider increase in rates at Modesto City-County Airport. (Memo with agenda. Motion directing staff to give notices to lessees and operators at Airport that leases will not be automatically renewed and directing staff to prepare proposed interim rate increase and report back to Council.)
(Kullijian/Elliott, unan.)

ACTION: By motion, staff directed to give notice to lessees and operators and to prepare proposed interim rate increase and report back to Council. (P/W to handle)

CONSENT

21. Ten-year agreement for operation of Mann Parking Deck at 11th and K Streets.

(The owner of this city-operated lot has agreed to replace the older parking meters with newer vandal-resistant meters. He requests a transient parking rate increase from 20¢ per hour to 25¢ per hour and an increase for passes from \$10.00 to \$12.50 per month to help pay for newer meters. (1) Resolution approving new agreement; (2) Resolution raising monthly parking pass cost from \$10.00 to \$12.50; (3) Ordinance increasing the hourly parking rate from 20¢ per hour to 25¢ per hour. Estimated cost \$3,565 for acquisition and overhauling parking meters. Funds budgeted in Account 5302-57-209, Replace Parking Meters)

ACTION: Res. 74-309 adopted approving new agreement. (Clerk to handle)

Res. 74-310 adopted establishing municipal off-street parking lots in the City (increasing monthly charges for passes at 11th & K Street parking lot to \$12.50). (P & T to handle)

Ord. No. 1356-C.S. introduced amending Section 3-2.1504, relating to parking meters (increasing hourly parking rate at 11th & K Street parking lot to 25¢ per hour). (Clerk to handle)

CONSENT

22. Lease agreement, Richard H. Walters, Tuolumne River Regional Park property on Legion Park Drive.
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 74-311 adopted approving agreement. (Clerk to handle)

CONSENT

23. Consider approval of final map of McHenry Estates No. 4 Subdivision of the City of Modesto and authorize an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. (The subdivision agreement has been signed and all fees paid. McHenry Estates No. 4 Subdivision is located on the north side of Sylvan Ave. east of McHenry Ave. It contains 24.224 acres. Resolution approving final map needed)

ACTION: Res. 74-312 adopted approving final map of McHenry Estates No. 4. (Clerk to handle)

REPORTS

24. Report on Highway 99 freeway agreements, financing, etc. (Memo with agenda. State intends to go forward with project. City will have to pay an extra \$100,000 due to inflation. Resolution authorizing Mayor to send letters to federal agencies and legislators urging them to clear this project for construction needed)

ACTION: (Councilman Dunlap was excused from consideration of this item due to a conflict of interest)

Res. 74-313 adopted (Elliott/Kullijian, maj. - Mensinger, no - Dunlap and Mayor Davies, absent) authorizing Mayor to communicate with Federal agencies and legislators and Stanislaus County. (C/Mgr to handle)

REPORTS FROM PLANNING COMMISSION

CONSENT

25. Planning Commission Recommendation - Capital Improvement Program, 1974 through 1979-80.
(See IBM listing and letter of transmittal. Motion acknowledging receipt of recommendation and referring to appropriate budget session needed)

ACTION: By motion, receipt of recommendation acknowledged and recommendation referred to appropriate budget session. (Finance to handle)

CONSENT

26. Tentative subdivision maps - (a) Greenwood Estates No. 6 Subdivision. (b) Lots 1 - 8, Block 6985, McHenry Highlands Subdivision. (On April 16, 1974 the Planning Commission approved the tentative maps of the above subdivisions and found that said subdivisions, together with their design and improvements, are consistent with applicable general and specific plans of the City. The City Council is required to make the same findings. Environmental assessment of the subdivisions has been made and negative declarations have been filed. Two resolutions making findings needed)

ACTION: Res. 74-314 adopted making findings - Greenwood Estates No. 6.
Res. 74-315 adopted making findings - Lots 1-8, Block 6985, McHenry Highlands. (Clerk to handle)

CONSENT

27. Proposed policy for preparation of Draft EIR's.
(See report with agenda entitled "Preparation of Draft EIRs" and Planning Commission Resolution No. 74-64. Resolution adopting policy needed)

ACTION: Res. 74-316 adopted approving and adopting policy for preparation of draft EIR's. (Planning to handle)

APPROPRIATION TRANSFERS

CONSENT

28. Consider the transfer of \$7,000 from the General Reserve to Account 218-51-101 (Equipment Rental Charges)
(\$6,996.80 was transferred from this account to rent a grader. Memo with agenda. Resolution approving needed)

ACTION: Res. 74-317 adopted approving appropriation transfer of \$7,000 from Account 60-101 to Account 218-51-101. (Finance to handle)

CONSENT

29. Consider transfer of \$1,500 from the Reserve to Account 334-48-512. (Damages to city equipment have exceeded the estimated costs. Account 334 provides for the cost of repair of damages to equipment as opposed to wear and tear, and costs of accident repair have increased since the budget was prepared. Resolution authorizing transfer of funds needed)

ACTION: Res. 74-318 adopted approving appropriation transfer of \$1,500 from Account 60-512 to Account 334-48-512. (Finance to handle)

MISCELLANEOUS

30. Legislation.

ACTION: By motion (Elliott/Dunlap, unan.) SB 3307 supported as long as amendments providing for administrative costs to be paid by State and for administration to be in office other than Attorney General are included; otherwise bill to be opposed.

By motion (Kullijian/Elliott, unan.) ACA 81 supported.

By motion (Elliott/Newton, unan.) AB 3173 supported.

By motion (Kullijian/Mensing, unan.) SB 1725 supported.
(C/Mgr to handle)

Res. 74-318A adopted (Elliott/Kullijian, unan. - Mayor Davies, absent) agreeing with concern expressed in Senate Resolution 77 which pertains to an investigation by the PUC of the State of California concerning the interconnection of miscellaneous customer provided devices to the facilities of telephone utilities.
(C/Mgr to handle)

31. Appointments.

NONE

32. Matters too late for the agenda.

ACTION: Resolutions adopted (Dunlap/Newton, unan. - Mayor Davies, absent) authorizing application for grants made available through the Omnibus Crime Control and Safe Streets Act of 1968 administered by the California Council on Criminal Justice as follows:

Res. 74-319 for a Psychological Stress Evaluator.
Res. 74-320 for a Surveillance Kit.
Res. 74-321 for printing of pamphlets.
Res. 74-322 for five portable radios.
Res. 74-323 for two radar units.
Res. 74-324 for six cassette recorders.
(Police to handle)

Adjournment at 9:30 P.M.

ATTEST:

W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, MAY 6, 1974 AT 4:00 P.M.

Roll call Present: Elliott, Kullijian, Mensinger, Newton, Simon,
Mayor Davies
Absent: Dunlap

Pledge of allegiance to the Flag.

Invocation by Reverend Douglas VanderWall, Christian Reformed Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 8, 9, 10,
Items 11 and 45 removed from 12, 13, 14, 15, 16, 17, 18, 20, 21, 22,
consent. Items 19 and 23 dropped 24, 25, 26, 27, 32, 33, 34, 35, 36, 37,
from agenda. 38, 39, 40, 41, 42, 44, 47, 48, 49, 50,
Elliott/Kullijian, unan. - Dunlap, 51, 54, 55, 57
absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of April 22, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Letter from League of Women Voters requesting opportunity to discuss ways to publicize city bus service, including the proposed McHenry Avenue route.

ACTION: By motion (Kullijian/Mensinger, unan.) recommendations referred to staff for study and report. (C/Mgr to handle)

CONSENT

3. Letter from Grant Real Estate appealing the finding by the Environmental Assessment Committee that an environmental impact report is necessary on application for amendment to the zoning map for planned development. (Resolution setting hearing May 13, 1974 at 7:40 P.M. needed)

ACTION: Res. 74-325 adopted setting hearing. (Clerk to handle)

CONSENT

4. Letter from Harlan Smith, President of Camellia Society of Modesto, thanking City for sweepstakes trophy donated to show. (Motion ordering filed needed)

ACTION: By motion, letter ordered filed.

CONSENT

5. Letter from Stanislaus County Club of Adult Blind requesting aid in locating a permanent, centrally located place to hold meetings and for assistance in promoting public support for the club. (Motion referring to staff needed)

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

CONSENT

6. Letters from Modesto Band of Stanislaus County, Inc. requesting that the following sums be budgeted for fiscal year 1974-75:

(a) \$350.00 to help defray expenses for appearance at Cal-Expo.

(b) \$1,800.00 for 1974 series of annual summer band concerts.
(Motion referring to appropriate budget session needed)

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

CONSENT

7. Letters from California Relays requesting the following:

(a) That the sum of \$4,000 be included for California Relays in the 1974-75 budget.
(Motion referring to appropriate budget session needed)

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

(b) That payment of \$4,000 budgeted in 1973-74 budget be authorized.
(Motion authorizing payment needed)

ACTION: By motion, payment authorized. (Finance to handle)

CONSENT

8. Letter from Stanislaus County Fourth of July Celebration requesting that \$1,000 be included in the 1974-75 budget for the Fourth of July celebration.
(Motion referring to appropriate budget session needed)

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

CONSENT

9. Letter from Executive Director, Downtown Improvement District, requesting approval to close 10th Street from I to J and J to K Streets to hold Rod and Custom Show on May 18, 1974.
(Memo with agenda. Resolution approving needed)

ACTION: Res. 74-326 adopted approving closure. (C/Mgr to handle)

CONSENT

10. Letter from Ceres City Administrator requesting consideration of agreement or contract between the City of Ceres and City of Modesto to avoid future duplication of trunk and collector sewer lines in area north of Hatch Road.
(Motion referring to staff for report and recommendation needed)

ACTION: By motion, referred to staff for report and recommendation.
(P/W to handle)

11. Letter from Industrial Electrical Co. requesting encroachment permit to install underground conduits across alley at the Knudsen Milk Company plant on 9th Street.
(Motion setting hearing May 13, 1974 at 7:45 P.M. needed)

ACTION: Res. 74-327 adopted setting hearing. (Clerk to handle)
(Elliott/Kullijian, unan. - Dunlap and Newton, absent)

(Councilman Newton was excused from consideration of this item due to a conflict of interest)

BIDS

CONSENT

12. Consider approval of specifications and authorize call for bids to be opened at 2:00 P.M. May 28, 1974 for furnishing and installing one new asphalt hot patch unit for street repair work.
(Resolution needed. Estimated cost \$13,000. Funds budgeted in Account 5445-48-512, Service Division Capital Outlay, p. 143)

ACTION: Res. 74-328 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

13. Consider approval of specifications and authorize call for bids to be opened May 22, 1974 at 2:00 P.M. for furnishing annual requirements of rock, sand, and gravel.
(Resolution needed. Estimated cost \$16,000. Funds budgeted in Account 438-512, Revolving Funds. Not shown in budget)

ACTION: Res. 74-329 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

14. Consider approval of specifications and authorize call for bids to be opened May 22, 1974 at 2:10 P.M. for furnishing annual requirements of ready-mixed concrete.
(Resolution needed. Estimated cost \$6,000. Funds budgeted in Account 321-51-101, construction material, and other accounts)

ACTION: Res. 74-330 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

15. Consider approval of specifications and authorize call for bids to be opened May 22, 1974 at 2:20 P.M. for furnishing annual requirements of liquid chlorine.
(Product is used for treating sewage. We have incorporated the needs of the cities of Turlock and Oakdale in our specifications. Resolution needed. Estimated cost \$67,000, Modesto portion. Funds budgeted in Account 312-53-101, Chemicals, Drugs and Lab Supplies)

ACTION: Res. 74-331 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

16. Consider approval of specifications and authorize call for bids to be opened May 22, 1974 at 2:30 P.M. for furnishing annual requirements of liquid and emulsified asphalts.
(Resolution needed. Estimated cost \$9,450. Funds budgeted in Account 321-51-101, Construction Material)

ACTION: Res. 74-332 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

17. Consider approval of specifications and authorize call for bids to be opened May 22, 1974 at 2:40 P.M. for seasonal requirements of liquid anhydrous ammonia to be used for treatment of industrial and residential sewage.
(Resolution needed. Estimated cost \$161,000. Funds budgeted in Account 312-53-101, Chemicals, Drugs, and Lab Supplies)

ACTION: Res. 74-333 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

18. Consider approval of specifications and authorize call for bids to be opened May 22, 1974 at 3:00 P.M. for seasonal requirements of liquid ammonium phosphate to be used for treatment of industrial and residential sewage.
(Resolution needed. Estimated cost \$21,500. Funds budgeted in Account 312-53-101, Chemicals, Drugs and Lab Supplies)

ACTION: Res. 74-334 adopted approving specifications and bid call.
(Clerk to handle)

19. Consider award of contract for waterline extension on Crows Landing Road and Whitmore Avenue.
(Bids were opened April 23, 1974. The low bid submitted by A. P. Pipeline, which is 12.9% below the estimate is considered acceptable. It is recommended that the contract be awarded to them. Resolution needed. Estimated cost \$41,038.20. Funds budgeted in Account 8828-50-101, Waterline Strengthen)

DROPPED FROM AGENDA

CONSENT

20. Consider acceptance of Matteson Construction Co.'s contract for construction of fence at Del Webb Field.
(Original contract: \$5,973.00. All Work on this project has been completed to the satisfaction of the Parks Department and the Public Works Department. 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, Contract: \$4,412.00. Funds budgeted in Account 6400-31-321, Del Webb Fence)

ACTION: Res. 74-335 adopted accepting contract. (Clerk to handle)

CONSENT

21. Consider acceptance of Joe Martin's contract for installation of waterlines in Sonoma Gardens, Capistrano Park 1, 2 & 3, Greenfield 4, and Wyldewood Est. 4. (Original contract \$23,549.00)
(All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work needed. Final cost \$24,218.60 (Main: \$11,578.60; Services \$12,640.00) Funds budgeted in Account 6804-50-101, Water Main Extensions, and 5301-50-101, New Services)

ACTION: Res. 74-336 adopted accepting contract. (Clerk to handle)

CONSENT

22. Consider acceptance of Joe Martin's contract for installation of waterlines in Sylvan Meadows Subdivision.
(Original contract \$16,854.00. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final cost, Contract: \$16,724.90 (Main \$13,358.90). Funds budgeted in Account 6804-50-101, Water Main Extension and 5301-50-101, New Services)

ACTION: Res. 74-337 adopted accepting contract. (Clerk to handle)

23. Consider acceptance of Ferrero Electric's contract for revising street light circuit on McHenry between Needham and Maynell. (Original contract \$9,640.00. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file the notice of completion. Resolution accepting the work as complete needed. Final contract \$9,640.00. Funds budgeted in Account 6633-41-321, Modernize McHenry Street Lights)

DROPPED FROM AGENDA

CONSENT

24. Consider approval of plans and specifications and call for bids for installation of waterlines in Granite Lane and McWilliams Way. (Suggested bid opening date May 21, 1974 at 10:15 A.M. This waterline extension is required to provide water service to the commercial properties which have been annexed to the City. Resolution needed. Estimated cost \$21,617.40 (\$18,132.50 contract, \$3,484.90, Matl.) Funds budgeted in Account 6804-50-101, Waterline Extension)

ACTION: Res. 74-338 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

25. Consider award of contract for installation of waterlines in Eastridge No. 3, Havenbrook Park, and Sunrise #1. (Bids were opened April 30, 1974. The low bid submitted by Joe Martin, which is 30% below the estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution needed. Funds budgeted in Account 6804-50-101, Waterline Extension and 5301-50-101, New Services). (Estimated cost: \$26,644.70).

ACTION: Res. 74-339 adopted awarding contract to Joe Martin. (P/W to handle)

CONSENT

26. Consider award of contract for construction of sewer in Beard Brook Park. (Bids were opened April 23, 1974. The low bid submitted by Western Pipeline, which is 9.6% below the estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution needed. Estimated cost \$12,862.00; funds budgeted in Account 8365-31-321, Beard Brook Sewer).

ACTION: Res. 74-340 adopted awarding contract to Western Pipeline. (P/W to handle)

CONSENT

27. Consider approval of plans and specifications and call for bids for slurry seal on Utility Runway at City-County Airport. (Suggested bid opening date May 21, 1974 at 10:10 A.M. Memo with agenda. Resolution needed. Estimated cost \$18,400. (Const. \$18,000; \$400, Engr.) Appropriation transfer to be requested later from Fund No. 306, Slurry Seal Utility Runway after opening of bid proposals)

ACTION: Res. 74-341 adopted approving plans and specifications and bid call. (Clerk to handle)

HEARINGS

28. Hearing, annexation of McHenry-Standiford Addition to Modesto Municipal Sewer District No. 1. 4:00 P.M.

ACTION: Res. 74-342 adopted (Simon/Elliott, unan. - Dunlap, absent) annexing McHenry-Standiford Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

29. Hearing, annexation of Scenic-Encina Addition to Modesto Municipal Sewer District No. 1. 4:05 P.M.

ACTION: Res. 74-343 adopted (Elliott/Kullijian, unan. - Dunlap, absent) annexing Scenic-Encina Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

30. Hearings on requirement to construct curbs and gutters and/or sidewalks at the following locations: 4:10 P.M.
(Resolution needed)

(a) Curb at 402 Helen Avenue, Lot 1 of Block 614.
(Ruth M. Brock)

(b) Sidewalk along Covena Ave. at 1501 Roble Ave., Lot 10, Block 2095. (Laura M. DeSilva)
(Drop from agenda. Doing own work)

(c) Sidewalk at 424 Covena Ave., Lot 16 of Block 2095.
(Lemoine E. Vaughn)

(d) Curb along Griswold Ave. at 414 Griswold Ave., Lot 1, Block 713. (Jane F. Erkenbrecher)

(e) Curb along Griswold Ave. at 520 Griswold Ave., Lot 8, and N 15' - 7, Block 714. (Louise Friedman)

(f) Curb along Griswold Ave. at 905 Brady Ave., portion of Block 720. (James P. McCormick)

(g) Curb along Griswold Ave. at 829 Brady Ave., Lot 1 and N. 15' - 2 of Block 714. (Frank Paradis)

(h) Curb along Griswold Ave. at 821 Hackberry Ave., Lot 51 of Block 717. (Joi G. Wilhelm)

ACTION: Res. 74-344 adopted (Kullijian/Elliott, unan. - Dunlap, absent) ordering work done. (P/W to handle)

31. Matters for the good of the community. 4:15 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

CONSENT

32. Final adoption of the following ordinances.

(a) Ordinance No. 1353-C.S. relating to the building code.
(Motion adopting needed)

ACTION: By motion, Ord. No. 1353-C.S. adopted. (Clerk to handle)

CONSENT

32. Final adoption of the following ordinances, (continued)

- (b) Ordinance No. 1354-C.S. relating to the plumbing code.
(Motion adopting needed)

ACTION: By motion, Ord. No. 1354-C.S. adopted. (Clerk to handle)

- (c) Ordinance No. 1355-C.S. relating to the mechanical code.
(Motion adopting needed)

ACTION: By motion, Ord. No. 1355-C.S. adopted. (Clerk to handle)

- (d) Ordinance No. 1356-C.S. relating to parking meters.
(Motion adopting needed)

ACTION: By motion, Ord. No. 1356-C.S. adopted. (Clerk to handle)

CONSENT

33. Ordinance repealing Sections 4-2.12 and 4-2.14 of Chapter 2 of Title IV of the Modesto Municipal Code relating to sale of chicks, rabbits, ducklings or other fowl.
(Memo with agenda. Motion introducing ordinance needed)

ACTION: Ord. No. 1357-C.S. introduced. (Clerk to handle)

NEW BUSINESS

CONSENT

34. Resolution adopting "City of Modesto Regulations and Procedures implementing the "Relocation Assistance Law."
(Memo and copy of the regulations and procedures with agenda)

ACTION: Res. 74-345 adopted adopting Regulations and Procedures re Relocation Assistance Law. (C/Mgr to handle)

CONSENT

35. Report of sales of scrap metals producing revenue of \$13,649.40, as required by 1967 Resolution No. 67-17.
(Memo with agenda. Motion accepting report needed)

ACTION: By motion, report accepted.

CONSENT

36. Resolution withdrawing the Carpenter-Woodland No. 1 Addition from the Woodland Fire District.
(This addition was annexed to the City of Modesto effective April 18, 1974. Resolution withdrawing from Fire District Needed)

ACTION: Res. 74-346 adopted withdrawing Carpenter-Woodland No. 1 from Woodland Fire Protection District. (Clerk to handle)

CONSENT

37. Resolution withdrawing McHenry-Rumble No. 3 Addition from the McHenry-Dry Creek Fire District.
(The McHenry-Rumble No. 3 Addition was annexed to the City effective April 18, 1974. Resolution withdrawing from Fire District needed)

ACTION: Res. 74-347 adopted withdrawing McHenry-Rumble No. 3 from McHenry-Dry Creek Fire Protection District. (Clerk to handle)

CONSENT

38. A resolution determining that the public interest and convenience require that the Carpenter-Woodland No. 1 Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing.
(This addition has been annexed to the City of Modesto and it is now necessary to commence proceedings to annex it to the Sewer District. Suggested hearing date June 24, 1974 at 7:35 P.M. Resolution setting hearing needed (2/3 affirmative vote required))

ACTION: Res. 74-348 adopted setting hearing. (Clerk to handle)

CONSENT

39. A resolution determining that the public interest and convenience require that McHenry-Rumble No. 3 Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing.
(The subject area has been annexed to the City of Modesto and it is now necessary to annex it to the Modesto Municipal Sewer District. Suggested hearing date June 24, 1974 at 7:40 P.M. Resolution setting hearing needed (2/3 affirmative vote required))

ACTION: Res. 74-349 adopted setting hearing. (Clerk to handle)

CONSENT

40. Consider approval of an easement across the Tidewater Southern Railway property.
(The improvement of Crows Landing Road requires the acquisition of right of way from the Railroad. It has offered an easement which will permit the installation of utilities and the construction of the street while negotiations for the right of way continue. The required right of way is from commercial property owned by the Railroad. Resolution accepting easement needed)

ACTION: Res. 74-350 adopted accepting easement. (Clerk to handle)

CONSENT

41. Agreement with Richard H. Walters, relocation and moving expenses.
(Memo with agenda. Resolution approving letter agreement needed. Estimated cost \$500. Funds budgeted in Account 6329-31-321, Tuolumne River Regional Park Land Acquisition)

ACTION: Res. 74-351 adopted approving agreement. (Clerk to handle)

CONSENT

42. Request from Modesto Youth Commission that the resolution establishing the Youth Commission be amended to increase representation and provide additional input into the selection process.
(Resolution approving suggested amendments needed)

ACTION: Res. 74-352 adopted amending Res. 72-350. (Clerk to handle)

43. Request from Mr. Gilligan asking that City provide free golf for Modesto residents 70 or over, Monday through Thursday except holidays before 2:00 P.M.
(Resolution amending resolution establishing golf course rates needed. Memo with agenda)

ACTION: Res. 74-353 adopted (Mensing/Simon, unan. - Dunlap, absent) amending golf course rates. (P & R to handle)

CONSENT

44. Adoption of resolution acknowledging receipt of "Notice of Intention to Circulate Petition to Annex Territory Known as the North Tully No. 1 Addition to the City of Modesto" and approving intention of proponents to circulate petitions.
(The notice was published on May 3, 1974 and filed with the City Clerk on May 6, 1974. Resolution needed)

ACTION: Res. 74-354 adopted acknowledging receipt and authorizing circulation of petitions. (Clerk to handle)

45. Adoption of resolution acknowledging receipt of "Notice of Intention to Circulate Petition to Annex Territory Known as the Sherwood Forest Addition to the City of Modesto" and approving intention of proponents to circulate petitions.
(The notice was published on May 3, 1974 and filed with the City Clerk on May 6, 1974. Resolution needed)

ACTION: Res. 74-355 adopted (Simon/Elliott, unan. - Dunlap, absent) acknowledging receipt and authorizing circulation of petitions.
(Clerk to handle)

46. Presentation of 1974-75 Preliminary Budget.
(Copies of the budget will be distributed at the Council meeting. The Council must set a date for a formal public hearing and establish a schedule for review of the budget and the Six-Year Capital Improvement Program 1974-75 through 1979-80. Last year the Council met on Tuesdays and Thursdays from 4:00 to 5:30 P.M. until review was completed. Resolution setting public hearing June 10, 1974 at 7:30 P.M. and motion establishing procedure for review of the budget and Capital Improvement Program needed)

ACTION: Res. 74-356 adopted (Simon/Elliott, unan. - Dunlap, absent) setting hearing. (Clerk to handle)

By motion (Simon/Mensing, unan.) review set for Tuesdays and Thursdays at 4:00 P.M. commencing May 21, 1974. (Clerk to handle)

CONSENT

47. Right of way agreement, Needham Street - Mr. and Mrs. Stathe M. Angelo.
(Memo with agenda. Resolution accepting grant deed needed. Estimated cost \$20,000 plus cost of moving house. Funds budgeted in Account 6700-205, Needham, Hackberry to Nellie)

ACTION: Res. 74-357 adopted approving agreement. (Clerk to handle)

CONSENT

48. Right of way acquisition, Coffee Road - Mr. and Mrs. Norman F. Herman.
(Memo with agenda. Resolution accepting grant deed and approving agreement needed. Estimated cost \$381. Funds budgeted in Account 6725-1-207, Coffee, Brighton to Briggsmore)

ACTION: Res. 74-358 adopted approving agreement. (Clerk to handle)

CONSENT

49. Agreement for purchase of property needed for parking at Municipal Golf Course - Joseph and Valentina Agresti.
(Resolution accepting grant deed and approving agreement needed. Estimated cost \$5,300. Funds budgeted in Account 6257-31-321, Municipal Golf Course Parking)

ACTION: Res. 74-359 adopted accepting grant deed and approving agreement.
(Clerk to handle)

CONSENT

50. Proposed amendment to ambulance drivers' ordinance.
(Memo with agenda. Request for an ordinance amending Section 3-8.16 of Chapter 8 of Title III of the Modesto Municipal Code relating to ambulances. Copy of proposed ordinance with agenda)

ACTION: Ord. No. 1358-C.S. introduced. (Clerk to handle)

REPORTS

CONSENT

51. Quarterly report of Chamber of Commerce for period January 1, 1974 through March 31, 1974.
(Motion accepting report needed)

ACTION: By motion, report accepted.

52. Report by Vice Mayor Simon regarding the posting of hours of operation and prices by gas stations.

- (a) Letter from Barry Meyers regarding posted prices and hours of operation of gas stations.

ACTION: It was agreed that staff would check with Lakewood and Compton as to how their programs are working and Vice Mayor Simon agreed to again discuss this subject with the station operators.
(C/Mgr to handle)

53. Report on Nazarene Church Building.
(Staff report on Nazarene Church Building and request of Mr. Ken Schach of Global Systems for use of the church building. Motion directing staff needed)

ACTION: A motion (Kullijian/Mensing) to refer this matter to staff for report in 30 days failed.

By motion (Elliott/Simon, unan.) request denied without prejudice to the applicant making a new request within thirty (30) days.
(Clerk to handle)

CONSENT

54. Report on status of application for traffic enforcement grant.
(Memos with agenda) (Motion directing staff needed)

ACTION: By motion, staff authorized to assure Office of Traffic Safety that Modesto will make an honest effort to continue program if it is established. (C/Mgr to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

55. Recommend amendments to Chapter 2, Title X, and Chapter 6, Title IX of the Modesto Municipal Code relating to Multiple-Family Housing and Signs.
By Resolution No. 74-37 adopted March 5, 1974 and by Resolution No. 74-56 adopted April 9, 1974 the Planning Commission recommends amendments to Chapter 2, Title X, and Chapter 6, Title IX of the Code pertaining to multiple-family housing and signs. Resolution setting June 10, 1974 at 7:40 P.M. for public hearing needed)

ACTION: Res. 74-360 adopted setting hearing. (Clerk to handle)

56. Land Use and Circulation Elements, Modesto Urban Area General Plan. (Memo with agenda. Receive Commission report and recommendation, set date for public hearing after Public Projects Committee has had an opportunity to review the commercial standards in the Plan)

ACTION: By motion (Simon/Newton, unan.) referred to Public Projects Committee. (C/Mgr to handle)

APPROPRIATION TRANSFERS

CONSENT

57. Consider approval of appropriation transfer from General Reserve to Waterline Extension Account.
(This account is used to provide water service to new developments. Continuing development requires additional funding. Resolution approving transfer needed)

ACTION: Res. 74-361 adopted approving appropriation transfer of \$25,000 from Account 60-101 to Account 6804-50-101. (Finance to handle)

MISCELLANEOUS

58. Legislation.

ACTION: By motion (Mensingher/Elliott, unan.) AB 3924 opposed.

By motion (Simon/Elliott, unan.) ACA 103 opposed.
(C/Mgr to handle)

59. Appointments.

NONE

60. Matters too late for the agenda.

NONE

61. The Council retired to Executive session at 6:10 P.M. to discuss salaries and fringe benefits with the announcement that they would not return to open meeting.

Adjournment at 6:10 P.M.

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, MAY 13, 1974 AT 7:30 P.M.

Roll call Present: Dunlap, Kullijian, Mensinger, Newton, Simon,
Mayor Davies
Absent: Elliott
(Councilman Newton arrived at 7:35 P.M.; Councilmember
Mensinger arrived at 9:05 P.M.; Mayor Davies was excused
at 10:30 P.M. and Vice Mayor Simon presided)

Pledge of allegiance to the Flag.

Invocation by Reverend Harold Knowles, Central Avenue Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 8, 9,
Item 18 removed from consent 17, 19, 20, 22, 23, 24, 25, 26,
Item 7 dropped from agenda 27, 28, 29, 30, 31
Dunlap/Kullijian, unan. - Elliott, Mensinger
and Newton, absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of May 6, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Invitation to ride in Fourth of July Parade.
(Motion ordering filed needed)
NOTE: Council members are requested to notify the Clerk as to whether or not they will participate so he can inform the committee)

ACTION: By motion, letter ordered filed. (Clerk to handle)

CONSENT

3. Request of North San Joaquin Comprehensive Health Planning Association for \$2,500 to be budgeted for 1974-75.
(Motion referring to proper budget session needed)

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

CONSENT

4. Appeal by Long's Drug Stores to denial of request for planned development zoning at the southwest corner of Oakdale Road and Orangeburg Avenue.
(Resolution setting June 24, 1974 at 7:45 P.M. for hearing needed)

ACTION: Res. 74-362 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT

5. Consider acceptance of Valley Construction Co.'s contract for installation of water lines in Granada Park #4.
(Original contract \$5,780.25. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion.
(Resolution accepting work as complete needed. Final cost: Contract, \$5,124.55 (Main: \$3,684.55; Services: \$1,440.00) Funds budgeted in Account 6804-50-101, Main Extensions, and 5301-50-101, New Services)

ACTION: Res. 74-363 adopted accepting contract. (Clerk to handle)

CONSENT

6. Consider acceptance of Ferrero Electric's contract for revising street light circuit on McHenry between Needham and Maynell.
(Original contract \$9,640.00. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final cost Contract, \$9,640.00. Funds budgeted in Account 6633-41-321, Modernize McHenry Street Lights)

ACTION: Res. 74-364 adopted accepting contract. (Clerk to handle)

7. Consider award of contract for waterline extension on Crows Landing Road and Whitmore Avenue.
(Bids were opened April 23, 1974. The low bid submitted by A.P. Pipeline, which is 12.9% below the estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution needed. Estimated cost \$41,038.20. Funds budgeted in Account 8828-50-101, Waterline Strengthen)

DROPPED FROM AGENDA

CONSENT

8. Consider award of contract for resurfacing of tennis courts in Roosevelt Park.
(Bids were opened May 7, 1974. The low bid submitted by A & B Asphalt Sealing Co. was 54% below the Engineer's Estimate. The bid has been reviewed with the low bidder, who states that he has adequately covered the construction costs. It is recommended that the contract be awarded to them. Resolution needed. Estimated cost \$6,864.00. Funds budgeted in Account 6368-31-321, Roosevelt Tennis Resurfacing)

ACTION: Res. 74-365 adopted awarding contract to A & B Asphalt Sealing Co. (P/W to handle)

CONSENT

9. Consider 90-day lease for van-bus, and provide necessary financing.
(Memo with agenda. Bill Hughes is low bidder at \$2,264.82 for a bubble top van-bus. Resolution awarding bid and authorizing issuance of a purchase order needed. Resolution estimating additional revenue and appropriating the amount in the Bus Service Fund needed. Estimated cost \$5,131 in fiscal 1973-74)

ACTION: Res. 74-366 adopted awarding contract to Bill Hughes Rents.
(P & T to handle)
Res. 74-367 adopted estimating additional revenue and appropriating the amount in the Bus Service Fund. (Finance to handle)

HEARINGS

10. Hearing on appeal by Robert D. Watson to decision of Board of Zoning Adjustment imposing certain conditions in connection with conditional use permit for parking area on McHenry, north of Roseburg. 7:30 P.M.
- ACTION: Res. 74-368 adopted (Dunlap/Simon, maj. - Kullijian, no - Elliott and Mensinger, absent) denying appeal.
- Res. 74-369 adopted (Dunlap/Simon, maj. - Kullijian, no - Elliott and Mensinger, absent) declaring intention of Council to initiate rezoning of R-1 property between block wall along alley and Alma as far north as the existing duplexes. (Planning to handle)
11. Continued hearing on specific plan for Dale Road between Briggsmore and Beckwith. 7:35 P.M.
- ACTION: Ord. No. 1359-C.S. introduced (Simon/Dunlap, unan. - Elliott, absent) establishing precise alignment. (Clerk to handle)
- Res. 74-370 adopted (Simon/Dunlap, unan. - Elliott, absent) directing Director of Planning to file Notice of Determination of Environmental Impact.
12. Continued hearing on specific plan for Sisk Road between Beckwith and Pelandale. 7:35 P.M.
- ACTION: Ord. No. 1360-C.S. introduced (Simon/Dunlap, unan. - Elliott, absent) establishing precise alignment. (Clerk to handle)
- Res. 74-371 adopted (Simon/Dunlap, unan. - Elliott, absent) directing Director of Planning to file Notice of Determination of Environmental Impact.
13. Continued hearing on specific plan for Dale Road between Standiford and north city limits. 7:35 P.M.
- ACTION: Ord. No. 1361-C.S. introduced (Simon/Dunlap, unan. - Elliott, absent) establishing precise alignment. (Clerk to handle)
- Res. 74-372 adopted (Simon/Dunlap, unan. - Elliott, absent) directing Director of Planning to file Notice of Determination of Environmental Impact.
14. Hearing, appeal of Allen R. Grant to decision of Environmental Assessment Committee requiring an environmental impact report in connection with application for Planned Development Zoning. 7:40 P.M.
- ACTION: By motion (Simon/Mensinger, unan.) further consideration continued to May 20, 1974.
15. Hearing, encroachment permit for underground conduits across alley, Knudsen Milk Co. 7:45 P.M.
- ACTION: (Councilman Newton was excused from consideration of this item due to a conflict of interest)
- Res. 74-373 adopted (Kullijian/Dunlap, unan. - Elliott, Newton and Mayor Davies, absent) granting encroachment permit subject to conditions recommended by Director of Public Works. (Clerk to handle)

16. Matters for the good of the community. 7:50 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

CONSENT

17. Final adoption of the following ordinances:

(a) Ordinance No. 1357-C.S. relating to sale of chicks, etc.

ACTION: By motion, Ord. No. 1357-C.S. adopted.

(b) Ordinance No. 1358-C.S. relating to ambulance drivers.
(Motions adopting needed)

ACTION: By motion, Ord. No. 1358-C.S. adopted. (Clerk to handle)

18. Authorize revised speed limits on portions of several streets.
(Memo with agenda. The speed limits on these streets are being revised on the basis of speed surveys so that the Police Department can enforce the speed limits with radar. Ordinance amending Section 3-2.1401 and 3-2.1401.1 of the Code needed. Estimated cost, \$700 for sign replacement. Funds budgeted in Account 5301-56-101, Traffic Signs)

ACTION: Ord. No. 1362-C.S. introduced (Dunlap/Mensing, unan. - Elliott and Mayor Davies, absent) authorizing revised speed limits as recommended except omitting Sycamore Ave. (Clerk to handle)

NEW BUSINESS

CONSENT

19. Consider agreement between the City of Modesto and Horn Construction Company whereby City will purchase property from Horn Construction Company for the Aqueduct Neighborhood Park.
(Resolution approving agreement needed. Estimated cost \$15,080. Funds budgeted in Account 6391-31-321, Aqueduct Neighborhood Park Land Acquisition)

ACTION: Res. 74-374 adopted approving agreement. (Clerk to handle)

CONSENT

20. Resolution approving issuance of bonds pursuant to certificate of issue of City Treasurer. (M22-34A) Improvement District No. 22 - Street and Alley Improvements, FACE - Blocks 415-420.
(Resolution needed)

ACTION: Res. 1289-S.P. adopted approving issuance of bonds. (Finance to handle)

21. Authorize signing revised agreements with Hahn Co. and State covering \$1,000,000 Hahn donation to Highway 99 Freeway.
(Agreements merely delay the freeway contract award date and the completion date by five months. Completion of freeway would be September 30, 1976. Resolution approving agreements and authorizing City Manager to sign needed)

ACTION: (Councilman Dunlap was excused from consideration of this item due to a conflict of interest)
Two Resolutions (Kullijian/Newton) failed as Councilmember Mensinger voted no and Councilmembers Dunlap, Elliott and Mayor Davies were absent. This will be placed on the agenda for May 20 for further consideration. (Clerk to handle)

CONSENT

22. Requirement for construction of curbs and/or sidewalks at the locations listed below.
(Informal requests were sent to the property owners over 30 days ago. As the work has not been done, it is recommended that the resolutions be adopted instructing the Superintendent of Streets to give notice. Resolution setting 4:00 P.M. June 3, 1974 for hearings needed)
- (a) Curb and sidewalk at 2401 Coffee Road, a portion of Block 12937.
(Marvin D. Allen)
 - (b) Curb and sidewalk at 2301 Coffee Road, a portion of Block 12937.
(Marion W. Clark)
 - (c) Curb and sidewalk at 2305 Coffee Road, a portion of Block 12937.
(P. J. Knutson)
 - (d) Curb and sidewalk at 2513 Coffee Road, a portion of Block 12937.
(Michael Masellis)
 - (e) Curb and sidewalk at 2317 Coffee Road, a portion of Block 12937.
(Elsie May Peebler)
 - (f) Curb and sidewalk at 2413 Coffee Road, a portion of Block 12937.
(Arlie Ralls)
 - (g) Curb and sidewalk at 2405 Coffee Road, a portion of Block 12937.
(Rosa B. Rhodes)
 - (h) Curb and sidewalk at 2217 Coffee Road, a portion of Block 12937.
(Harry G. Russell)

ACTION: Res. 74-375 adopted setting hearings. (P/W to handle)

CONSENT

23. Consider applying for street safety grants.
(Memo with agenda. New federal funds may become available for safety work on streets of lesser importance. Motion authorizing submission of projects listed in memo. No cost at this time)

ACTION: By motion, submission of projects approved. (P & T to handle)

CONSENT

24. A resolution adopting an Affirmative Action Program for the City of Modesto and directing the City Manager to implement said program and rescinding resolution No. 73-768.
(Copies of memo and revised Affirmative Action Plan attached. Resolution adopting program and rescinding Resolution No. 73-768 needed)

ACTION: Res. 74-376 adopted rescinding Res. 73-768 and adopting revised Affirmative Action Plan. (C/Mgr to handle)

CONSENT

25. Consider resolution supporting California 1974 Clean Water Bond Act which will appear as Proposition 2 on the June 1974 primary ballot.
(Memo with agenda. Resolution supporting 1974 Clean Water Bond Act needed)

ACTION: Res. 74-377 adopted supporting 1974 Clean Water Bond Act.
(Clerk to handle)

CONSENT

26. Consider variance for plant mix sidewalk, Block 907, corner of North 9th and Haney.
(Memo with agenda. Resolution granting variance needed)

ACTION: Res. 74-378 adopted granting variance to Firestone Tire and Rubber Company subject to conditions recommended by Director of Public Works. (Clerk to handle)

CONSENT

27. Consider submission of Annual Transportation Claims to SAAG.
(Memo with agenda. Resolution approving Annual Transportation Claims submission needed)

ACTION: Res. 74-379 adopted approving submission of claims. (C/Mgr to handle)

CONSENT

28. Authorization for City Manager to sign agreement for the City to provide jobs for W.I.N. participants.
(Memo with agenda. Resolution authorizing City Manager to sign agreement needed)

ACTION: Res. 74-380 adopted approving agreement re W.I.N. Program.
(Personnel to handle)

REPORTS

CONSENT

29. Presentation of financial statement for April 1974.
(Report with agenda. Motion accepting report needed)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

30. Tentative Subdivision Maps. (a) Oakridge No. 1 and 2 Subdivision;
(b) Carver Village Subdivision.
(On May 7, 1974 the Planning Commission approved the revised tentative maps of the above subdivisions and found that said subdivisions, together with their design and improvements, are consistent with applicable general and specific plans of the City. The City Council is required to make the same findings. An environmental assessment of the subdivisions have been made and Negative Declarations have been filed. Two resolutions making findings needed)

ACTION: Res. 74-381 adopted making findings (Oakridge No. 1 & 2)
Res. 74-382 adopted making findings (Carver Village).
(Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

31. Request for appropriation transfer from Park Fund, General Reserve (324-60)
(This transfer is necessary due to cost escalation. This project consisted of internal walks in Kewin Park and a bridge approach on the Kewin Park side of the Moose-Kewin bridge. The project has been completed and the work accepted. Resolution approving transfer needed. \$1,000 from 60-324, Park Fund, General Reserve, to \$100 to 6321-31-324, Park Fund, Moose Park Stage 2 & 3; and \$900.00 to 6336-31-324, Park Fund Kewin Park Walks)

ACTION: Res. 74-383 adopted approving appropriation transfer of \$1,000 from Account 60-324 to Account 6321-31-324 (\$100) and Account 6336-31-324 (\$900). (Finance to handle)

32. Legislation

MISCELLANEOUS

32. Legislation.

ACTION: By motion (Kullijian/Dunlap, unan.) consideration of legislation delayed to May 20.

33. Appointments.

NONE

34. Matters too late for the agenda.

ACTION: Councilman Dunlap, Chairman of the Public Projects Committee, announced that the Committee would meet at 7:30 P.M. on May 20 to review the General Plan and that the Committee intended to hold meetings on Tuesday and Thursday afternoons prior to the budget sessions.

Res. 74-384 adopted (Kullijian/Dunlap, unan. - Elliott and Mayor Davies, absent) postponing opening of bids for Airport Development Aid Program (ADAP) No. 8-06-0153-02 to 2:00 P.M. on May 21, 1974. (Clerk to handle)

Adjournment at 11:15 P.M.

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, MAY 20, 1974 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Simon, Mayor Davies
Absent: None
(Councilman Newton arrived at 4:10 P.M.)

Pledge of allegiance to the Flag.

Invocation by Father Thomas Foster, St. Paul's Episcopal Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 6, 7, 8, 10,
Simon/Dunlap, unan. - Newton, absent 11, 12, 15, 16, 17, 18, 19,
20, 23

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of May 13, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

BIDS

CONSENT

2. Consider acceptance of Valley Construction Co.'s contract for installation of waterlines in Old Orchard No. 2.
(Original contract \$3,898.25. All work on this project has been completed to the satisfaction of the Public Works Department. 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 Contract \$3,575.07; Main: \$2,837.07. Funds budgeted in Accounts 6804-50-101, Main Extension, and 5301-50-101, New Services)

ACTION: Res. 74-385 adopted accepting contract. (Clerk to handle)

CONSENT

3. Consider acceptance of Rutan Construction Co.'s contract for installation of waterlines in Martin Ave., Clayton, Blue Gum Ave., and Carpenter Road.
(Original contract \$32,465.00. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final cost. Contract \$38,729.50 (6804- \$24,982.47 and 6828- \$13,747.02). Funds budgeted in Account 6804-50-101, Water Main Extensions, and 6828-50-101, Strengthen System)

ACTION: Res. 74-386 adopted accepting contract. (Clerk to handle)

CONSENT

4. Consider acceptance of Robco Construction Co.'s contract for installation of waterlines in Old Orchard No. 3. (Original contract \$9,521.85. All work on this project has been completed to the satisfaction of the Public Works Department. 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, Contract, \$9,212.46. Funds budgeted in Account 6804-50-101, Main Extensions)

ACTION: Res. 74-387 adopted accepting contract. (Clerk to handle)

5. Consider award of contract for waterline extension on Crows Landing Road and Whitmore Avenue. (Bids were opened April 23, 1974. The low bid submitted by A. P. Pipeline, which is 12.9% below the estimate is considered acceptable. It is recommended that the contract be awarded to them. Estimated cost \$41,038.20. Funds budgeted in Account 8828-50-101, Waterline Strengthen. Resolution needed.

(a) Letter from A.P. Pipeline withdrawing bid.

ACTION: Res. 74-388 adopted (Elliott/Dunlap, unan.) permitting A.P. Pipeline to withdraw their bid and awarding contract to Joe Martin. (P/W to handle)

CONSENT

6. Accept as complete the construction of traffic signals and street lights at Tuolumne and Roselawn. (Contract price \$10,377.65. The work has been completed by Steiny and Company, Inc. It should be noted that acceptance was delayed for over a year because of an unacceptable signal controller. It should also be noted that \$250 in liquidated damages from the contract price is being deducted because the contractor was late in completing the work. Resolution accepting construction as complete, deducting liquidated damages, and authorizing City Clerk to file notice of completion needed. Estimated cost \$10,127.65, (including liquidated damages). Funds budgeted in Account 6073-56-321, Construction of traffic signals and street lights at Tuolumne and Roselawn)

ACTION: Res. 74-389 adopted accepting contract with the provision that \$250 in liquidated damages be assessed for late completion. (Clerk to handle)

CONSENT

7. Consider award of bid and authorize purchase of two aerial towers, body and chassis from Pac-Power, Inc. of Walnut Creek, California. (Memo with agenda. Resolution awarding bid and resolution approving appropriation transfer needed. Estimated cost \$52,140.00. Funds budgeted in Account 5429-5446/48/512, Service Division Capital Outlay, pp 142 and 143)

ACTION: Res. 74-390 adopted awarding contract to Pac-Power, Inc. (Finance to handle)

Res. 74-391 adopted approving appropriation transfer of \$6,297 from Account 219-48-512 to Account 5429 (\$4,094) and Account 5446 (\$2,203) -48-512. (Finance to handle)

CONSENT

8. Consider award to low bidder Service Manufacturing Co. to furnish one new telescoping aerial lift and tool body for electrical work. (Memo with agenda. Resolution needed. Estimated cost \$5,579.00. Funds budgeted in Account 5423-48-512, Service Division Capital Outlay)

ACTION: Res. 74-392 adopted awarding contract to Service Manufacturing Co. (Finance to handle)

HEARINGS

9. Matters for the good of the community. 4:00 P.M.
(These may be presented by interested people in the audience)

NONE

ORDINANCES

CONSENT

10. Final adoption of the following:

- (a) Ordinance No. 1359-C.S. - specific plan for Dale Road between Briggsmore and Beckwith.

ACTION: By motion, Ord. No. 1359-C.S. adopted. (Clerk to handle)

- (b) Ordinance No. 1360-C.S. - specific plan for Sisk Road between Beckwith and Pelandale.

ACTION: By motion, Ord. No. 1360-C.S. adopted. (Clerk to handle)

- (c) Ordinance No. 1361-C.S. - specific plan for Dale Road between Standiford Ave. and north city limits.

ACTION: By motion, Ord. No. 1361-C.S. adopted. (Clerk to handle)

- (d) Ordinance No. 1362-C.S. - speed limits.
(Four motions adopting needed)

ACTION: By motion, Ord. No. 1362-C.S. adopted. (Clerk to handle)

CONSENT

11. An ordinance amending Section 2-1.10 of Modesto Municipal Code relating to City Council procedure. (Memo with agenda. Motion introducing ordinance and motion requesting city boards and commissions to use "Sturgis Standard Code of Parliamentary Procedure" needed)

ACTION: By motion, Ord. No. 1363-C.S. introduced. (Clerk to handle)

UNFINISHED BUSINESS

CONSENT

12. Resetting hearing on appeal filed by Longs Drug Stores and rescinding Resolution No. 74-362. (The Long appeal is presently set for a hearing more than forty (40) days after the filing of the appeal. Memo with agenda. Resolution rescinding Resolution No. 74-362 and setting June 17, 1974 at 4:00 P.M. for hearing needed)

ACTION: Res. 74-393 adopted rescinding Resolution 74-362 and setting hearing. (Clerk to handle)

13. Authorize signing revised agreements with Hahn Co. and State covering \$1,000,000 Hahn donation to Highway 99 freeway. (Agreements merely delay the freeway contract award date and the completion date by five months. Completion of freeway would be September 30, 1976. Resolution approving agreements needed)

ACTION: Res. 74-394 adopted (Elliott/Kullijian, maj. - Mensinger, no - Dunlap, absent) approving revised agreement with State.

Res. 74-395 adopted (Wlliott/Kullijian, maj. - Mensinger, no - Dunlap, absent) approving revised agreement with Hahn Co. (Clerk to handle)

(Councilman Dunlap was excused from consideration of this item due to a conflict of interest)

14. Further consideration of appeal by Allen R. Grant to decision of Environmental Assessment Committee requiring an environmental assessment report in connection with application for P-D zoning.

ACTION: (Councilman Elliott was excused from consideration of this item as he was not present when it was discussed at the May 13 meeting)

A resolution (Dunlap/Mensinger) to uphold the decision of the Environmental Assessment Committee failed as Kullijian, Newton and Simon voted no.

Res. 74-396 adopted (Simon/Kullijian, unan. - Elliott, absent) denying appeal, requiring an Environmental Impact Report on items 11 and 12 of the Committee's findings and determining that EIR's previously filed are sufficient for all other findings. (Planning to handle)

CONSENT

15. Relocation expenses re Needham Street widening project - Andy Lipko. (Mr. Lipko was forced to move from property he occupied, owned by Angelo, which was recently purchased for the Needham Street widening project. We are required to pay moving expenses by State law. Resolution approving letter agreement needed. Estimated cost \$411.40. Funds budgeted in Account 6700-205, Needham, Hackberry to Nellie)

ACTION: Res. 74-397 adopted approving letter agreement. (Clerk to handle)

CONSENT

16. Right of way agreement - Coffee Road - Mr. and Mrs. Don J. Holloway. (This is for acquisition of property needed for the widening of Coffee Road. \$420.00 represents the appraised value, less the cost of curbs, gutters and sidewalks which the City will install. Resolution approving agreement and accepting grant deed needed. Estimated cost \$420.00. Funds budgeted in Account 6725-1-207, Coffee, Brighton to Briggsmore)

ACTION: Res. 74-398 adopted approving agreement and accepting grant deed. (Clerk to handle)

CONSENT

17. Property acquisition - Dry Creek Park - Eula B. Scott. (Memo with agenda. Resolution approving agreement and accepting grant deed needed. Estimated cost \$57,120. Funds budgeted in Account 6415-31-321, Dry Creek Land Acquisition)

ACTION: Res. 74-399 adopted approving agreement and accepting grant deed. (Clerk to handle)

CONSENT

18. Consider resolution stating the City's intent to complete wastewater treatment plant facilities to meet federally mandated waste discharge requirements.
(Memo with agenda. Resolution needed)

ACTION: Res. 74-400 adopted stating City's intent. (Clerk to handle)

CONSENT

19. Consider request for water service to property outside the City of Modesto at 1137 Barium Road.
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 74-401 adopted approving agreement with Racor Industries, Inc. (Clerk to handle)

CONSENT

20. Consider increasing parking fee on validated lots from 10¢ to 15¢ per hour to offset wage increase for parking lot attendants.
(It is suggested that this matter be referred to the D.I.D. and D.M.A. for their comments. Report with agenda. Motion referring to D.I.D. and D.M.A. needed)

ACTION: By motion, referred to D.I.D. and D.M.A. for comment. (P & T to handle)

REPORTS FROM THE PLANNING COMMISSION

21. Lodgers in the R-1 Zone.
(Memo with agenda. Resolution referring Draft No. 3, proposed Code text amendments, to Planning Commission needed)

ACTION: Res. 74-402 adopted (Simon/Dunlap, unan.) referring Draft 3 to Planning Commission. (Planning to handle)

22. Proposed city policy on rezoning requests not consistent with the General Plan.
(Planning Commission Resolution No. 74-67, and Planning staff report title, "How Does One Go About Applying for a Zoning not Consistent with the General Plan?" with Agenda. Resolution adopting a policy on rezoning requests not consistent with the General Plan needed)

ACTION: By motion (Dunlap/Kullijian, unan.) returned to Planning Commission for further study with direction to include construction industry in study. (Planning to handle)

CONSENT

23. Resolution authorizing an application for a grant from the U. S. Department of Housing and Urban Development for Comprehensive Planning Assistance (701) Funds.
(Memo with agenda. Resolution needed. Estimated cost \$33,335; \$25,000 HUD 701 Grant \$8,335 local (Modesto) match. Funds budgeted in Account 101-16, Comprehensive Planning)

ACTION: Res. 74-403 adopted authorizing application for grant.
(Planning to handle)

MISCELLANEOUS

24. Legislation.

ACTION: Consideration delayed to May 28.

25. Appointments.


NONE

26. Matters too late for the agenda.

NONE

The meeting was adjourned at 6:05 P.M. to the King's Bench for the purpose of holding an executive session to discuss meet and confer. At the conclusion of the executive session the meeting will be adjourned to 7:30 P.M. in the Council Chambers for the purpose of taking part in a public hearing by the Public Projects Committee concerning commercial standards in the Modesto Area General Plan. At the conclusion of this hearing, the meeting will be adjourned to 6:30 P.M. on May 23, 1974 at the Almanack for the purpose of meeting with the Board of Directors of the Modesto Irrigation District to discuss matters of mutual concern and interest.

ATTEST:


W. T. CHYNOWETH, City Clerk

Adjourned Regular Meeting
Modesto City Council
May 20, 1974
6:15 P.M.

The Council of the City of Modesto convened at 6:15 P.M. in the King's Bench Restaurant pursuant to adjournment with all members of the Council present.

The Council immediately retired to executive session to discuss meet and confer and did not return to open meeting.

The meeting was adjourned at 7:15 P.M. to 7:30 P.M. in the Council Chambers.

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

Adjourned Regular Meeting
Modesto City Council
May 20, 1974
7:30 P.M.

The Council of the City of Modesto convened at 7:30 P.M. in the Council Chambers pursuant to adjournment and there were:

PRESENT: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger,
Newton, Mayor Davies
ABSENT: Councilmember: Simon

The purpose of the adjourned meeting was for the purpose of attending a public hearing called by the Public Projects Committee to discuss commercial standards in the Modesto area.

No action was taken by the Council as this was an informational meeting only.

The meeting was adjourned at 9:20 P.M. to 6:30 P.M. on May 23, 1974 in the Almanack Restaurant for the purpose of meeting with the Modesto Irrigation District Board of Directors to discuss matters of mutual concern and interest.

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

Modesto City Council
May 21, 1974

The Council of the City of Modesto met in special session this date at 4:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, as provided by Sec. 2-1.02 of the Modesto Municipal Code to consider the preliminary budget for fiscal year 1974-75.

Present: Councilmen: Dunlap, Elliott, Kullijian, Mayor Davies

Absent: Councilmen: Mensinger, Newton, Simon

The City Manager made a brief statement concerning the budget.

It was agreed that supplemental requests would be considered at the same time as the operating budgets.

The City Attorney was excused from attending the budget sessions provided that he would be available if needed.

The following budgets were considered:

CITY COUNCIL - 7 (P. 29)

CITY MANAGER - 8 (P. 31-33)

TYPING POOL AND RECORDS - 9 (P. 34-35)

CITY ATTORNEY - 13 (P. 37)

CITY CLERK & AUDITOR - 14 (P. 39)

FINANCE - 15 (P. 41-43)

PERSONNEL - 17 (P. 44-45)

(The Acting Personnel Officer explained the present status of the CETA Program)

PLANNING - 18 (P. 47-49)

FIRE - 21 (P. 55-57)

POLICE - 22 (P. 59-64)

(By motion (Dunlap/Kullijian, unan.) City Manager directed to inform the School Districts participating in the NYA Program that the Council feels the schools should make a financial contribution to the program due to the benefits received by them)

DISASTER & CIVIL DEFENSE - 26 (P. 67)

McHENRY MUSEUM - 29 (P. 68-69)

(The supplemental request for \$500 for a dinner for 60 volunteers at the Museum was questioned as to legality. This point will be checked with the City Attorney)

KING KENNEDY MEMORIAL CENTER - 30 (P. 71-73)

PARKS & RECREATION - ADMINISTRATION - 31 (P. 75)

PARKS & RECREATION - RECREATION - 32 (P. 77-79)

PARKS & RECREATION - MADDUX YOUTH CENTER - 33 (P. 81-83)

PARKS & RECREATION - COMMUNITY SERVICE CENTER - 34 (P. 84-85)
(Councilman Elliott raised a question as to the City's obligation to maintain this building and as to the cost.)

PARKS & RECREATION - PARKS - 35 (P. 87-89)

The meeting was adjourned at 5:10 P.M. to 4:00 P.M. on May 23, 1974.

ATTEST:

W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

Modesto City Council
May 23, 1974

The Council of the City of Modesto met in adjourned special session this date in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, to consider further the preliminary budget for fiscal year 1974-75.

Present: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Simon,
Mayor Davies

Absent: Councilmen: Newton

In response to a question raised at the May 21 meeting, the City Attorney reported that the \$500 included as a Supplemental Request in the McHenry Museum budget was a proper expenditure of City funds.

The following budgets were discussed:

PARKS & RECREATION - STREET TREES - 36 ((P. 91-93)
(Tree trimmer aid - (\$470) was added to Supplemental Requests)

PARKS & RECREATION - 9-HOLE GOLF COURSE - 37 (P. 94-97)

PARKS & RECREATION - DRYDEN PARK MUNICIPAL GOLF COURSE - 38 (P. 99-101)

PARKS & RECREATION - SENIOR CITIZENS CENTER - 39 (P. 102-103)

PUBLIC WORKS - ENGINEERING & ADMINISTRATION - 41 (P. 105-107)

PUBLIC WORKS - BUILDING INSPECTION - 42 (P. 109-111)

PUBLIC WORKS - ELECTRICAL - 43 (P. 113-115)

PUBLIC WORKS - WATER - 50 (P. 117-119)

PUBLIC WORKS - STREETS - 51 (P. 121-123)

PUBLIC WORKS - SEWERS - 52 (P. 125-127)

(It was agreed that the Director of Finance and Director of Public Works would report to Council on whether or not the Supplemental Request for a maintenance man (\$7,940) should be deleted.)

PUBLIC WORKS - WATER QUALITY CONTROL - 53 (P. 129-131)

PUBLIC WORKS - GARDEN REFUSE - 54 (P. 133-135)

PUBLIC WORKS - CITY HALL - 19 (P. 51-53)

PUBLIC WORKS - AIRPORT - 46 (P. 166-167)

(Mrs. Betty Jolliff, representing some of the operators at the Airport, stated that the proposed rate increases were too large. It was agreed that the proper time for this discussion would be the June 3 Council meeting when this item would be on the agenda.)

PUBLIC WORKS - SERVICE DIVISION - 48 (P. 173-175)

PARKING & TRAFFIC - 56 (P. 137-139)
(Account 120 was increased by \$240.)

OFFICE SERVICES - 58 (P. 140-141)
(Account 120 was increased by \$52. Account 216 was increased by \$12)

PARKING & TRAFFIC - 57 (P. 151-153)

(Account 120 was increased by \$2,108. Account 411 was increased by \$74)

BUS SERVICE FUND - 350 (P. 169)

(Account 235 was increased by \$3,780. Account 330 was increased by \$804)

The following Supplemental Requests were added:

Account 218 - Equipment Rental	\$31,464
Account 235 - Services, Prof. and Other	\$21,750
Total	\$53,214

DOWNTOWN IMPROVEMENT DISTRICT FUND - 218 (P. 155)

MUSIC & PROMOTION - 61 (P. 143)

INSURANCE & RETIREMENT - 64 (P. 144-145)

MISCELLANEOUS UNCLASSIFIED - 65 (P. 147)

The meeting adjourned at 5:30 P.M. to May 30, 1974 at 4:00 P.M.

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

Adjourned Regular Meeting
Modesto City Council
May 23, 1974
6:30 P.M.

The Council of the City of Modesto convened at 6:30 P.M. at the Almanack Restaurant, 1445 McHenry Avenue, Modesto, California, pursuant to adjournment and there were:

Present: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger,
Mayor Davies
Absent: Councilmembers: Newton, Simon

The purpose of this meeting was to have a discussion with officials of the Modesto Irrigation District. The M.I.D. staff explained the new intertie which has been made with Pacific Gas & Electric and also made a presentation concerning the proposed nuclear plant which conceivably could be located in this general area. These two matters were discussed by those present.

The meeting adjourned at 9:30 P.M. to 4:00 P.M. on May 28, 1974.

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR ADJOURNED REGULAR COUNCIL MEETING OF TUESDAY, MAY 28, 1974
AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Simon, Mayor Davies
Absent: None
(Councilmember Simon arrived at 4:30 P.M.)

Pledge of allegiance to the Flag.
Invocation by Reverend Bob Hardison, Friendship Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 6, 7, 8, 9, 10,
Item 2 removed from consent 11, 14, 15, 16, 17, 18, 21, 22
Item 20 dropped from agenda
Kullijian/Newton, unan. - Simon, absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of May 20 and 21, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Request of Knudsen Corporation for abandonment of alley bounded by 9th and 10th and E and F Streets.
(Resolution referring to Planning Commission needed)

ACTION: (Councilmember Newton was excused from consideration of this item due to a conflict of interest)

Res. 74-404 adopted (Kullijian/Dunlap, unan. - Newton and Simon, absent) referring to Planning Commission. (Planning to handle)

CONSENT

3. Request of Fourth of July Committee for:

- (1) Barricades to be placed on "I" Street between 11th and 12th Streets from 9:30 a.m. through 3:30 p.m.
- (2) Use of the City's reviewing stand with canvas top, to be placed on "I" Street close to the cannon in the Courthouse Park by city personnel on July 2nd or 3rd.
- (3) Use of a public address system (to be furnished by our committee) at the reviewing stand.
- (4) Use of the City Ball Park the evening of July 4th for entertainment and fireworks. The City to supply a standby fire truck (along with the County). The Modesto Police Department Reserves to furnish auxiliary police for patrol and added protection.

CONSENT

3. Request of Fourth of July Committee, (continued)

- (5) Parade route to be the same as last year, starting at Tenth and F, north on Tenth to I, east on I to 13th, north on 13th to J, west on J to 12th north on 12th to L and disband.
(Resolution granting request needed)

ACTION: Res. 74-405 adopted granting request. P/W (#1), P & R (2 & 4), P & T (5), Fire (4), and Police (5) to handle).

CONSENT

4. Request of D.I.D. and Patton Music Co. for cancellation of agreement to provide background music in downtown Modesto effective June 30, 1974.
(Resolution cancelling agreement needed)

ACTION: Res. 74-406 adopted approving cancellation of agreement. (Clerk to handle)

5. Request of Stanislaus County for submission of a nominee to serve on a solid waste plan advisory committee to be appointed by the Board of Supervisors.

ACTION: By motion (Mensingher/Kullijain, unan.) staff authorized to submit Ross Campbell as nominee of Council. (C/Mgr to handle)

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids for replacing catch basins at various locations.
(Suggested bid opening date: June 11, 1974 at 10:10 A.M. This project will replace old gutter type catch basins with new curb inlet catch basins. Resolution needed. Estimated Cost: \$10,000.00 (\$9,500.00 Const. - \$500 Eng.); funds budgeted in Account No. 5305-51-101, Catch Basins and Account No. 6756-41-321, Misc., Storm Drain)

ACTION: Res. 74-407 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

7. Award contract for construction of traffic signals, street lighting, and sidewalks at Coffee and Lucern to Ferrero Electric, Inc. (Low bid of \$14,035 by Ferrero Electric, Inc., was only \$35 higher than the engineer's estimate. Resolution accepting bid and awarding contract to Ferrero Electric, Inc. Estimated cost: \$16,000 including engineering; funds budgeted in Account No. 6149-56-321, Traffic Signals--Coffee and Lucern)

ACTION: Res. 74-408 adopted awarding contract to Ferrero Electric. (P & T to handle)

CONSENT

8. Consider approval of specifications and authorize bids to be opened June 11, 1974 at 2:00 P.M. for furnishing annual requirements of traffic line paint.
(Resolution needed. Estimated cost: \$22,150.00; funds budgeted in Account No. 321-56-101, Construction Material)

ACTION: Res. 74-409 adopted approving specifications and bid call. (Clerk to handle)

CONSENT

9. Consider award of contract to Joe Martin for installation of waterlines in Granite Lane and McWilliams Way.
(Bids were opened on May 21, 1974. The low bid, submitted by Joe Martin, which is 16% under the estimate is considered acceptable. It is therefore recommended that the contract be awarded to them. Resolution needed. Estimated cost: \$15,181.50; funds budgeted in Account No. 6804-50-101, Waterline Extension)

ACTION: Res. 74-410 adopted awarding contract to Joe Martin. (P/W to handle)

CONSENT

10. Approve plans and specifications and call for bids for the painting of Elevated Water Tank No. 2 located on 10th Street between C and D Streets.
(Suggested bid opening: June 11, 1974 at 10:00 A.M. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Funds budgeted in Account No. 5302-50-101, Paint/Elevated Tank No. 2)

ACTION: Res. 74-411 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

11. Consider approval of specifications and authorize call for bids to be opened June 11, 1974 at 2:10 P.M. for annual needs of lamps for municipal lighting for one year ending June 30, 1975.
(This is a cooperative venture and includes the needs of Modesto City Schools, City of Modesto, Stanislaus County, Yosemite Jr. College \$72,150.00 list price value. Resolution needed. Estimated cost: \$6,400.00 - City of Modesto net cost portion; funds budgeted in Account No. 438-512, Revolving Fund not shown in budget book)

ACTION: Res. 74-412 adopted approving specifications and bid call. (Clerk to handle)

HEARINGS

12. Matters for the good of the community. 4:00 P.M.
(These may be presented by interested persons in the audience)

NONE

13. Hearing, annexation Lincoln-Penny Addition to Modesto Municipal Sewer District No. 1. 7:30 P.M.
(To be continued to 6/3/74 at 4:05 P.M.)

ACTION: No action taken at adjourned regular meeting.

ORDINANCES

CONSENT

14. Final adoption of Ord. No. 1363-C.S. (Council Organization and Procedure)
(Motion adopting needed)

ACTION: By motion, Ord. No. 1363-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

15. Right-of-Way Acquisition, Coffee Road--Mr. and Mrs. Adrian E. Powell.
(Property needed for widening and improvement of Coffee Road. Purchase price of \$495 represents the appraised value less the cost of curbs, gutters and sidewalks which the City will install. Resolution accepting Grant Deed and authorizing execution of Agreement needed. Estimated cost: \$495; funds budgeted in Account No. 6725-1-207, Coffee, Brighton to Briggsmore)

ACTION: Res. 74-413 adopted accepting Grant Deed and approving agreement. (Clerk to handle)

CONSENT

16. Consider an agreement establishing a new pay station for the collection of payments for City of Modesto water and sewer bills. (The proposed pay station is located at the Model Pharmacy, near the corner of Coffee Road and Floyd Avenue. (Memo with agenda) Resolution approving agreement needed. Estimated cost: \$50; funds budgeted in Account No. 235-15-101, Service, Professional & Other)

ACTION: Res. 74-414 adopted approving agreement. (Clerk to handle)

CONSENT

17. Consider establishing fee schedule of mobile home units. (Memo with agenda. Resolution establishing fee schedule needed)

ACTION: Res. 74-415 adopted establishing fee schedule as follows:

- | | |
|--|---------|
| (a) Application fee for mobilehome installation permit and all accessory structures erected at the same time on the same site. | \$5.00 |
| (b) Installation permit fee. | \$25.00 |
| (c) Reinspection fee.
(P/W to handle) | \$30.00 |

CONSENT

18. Accept improvements in Dragoo Park No. 2 Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Dragoo Park No. 2 Subdivision is located south of Sylvan Avenue between McHenry Avenue and Coffee Road. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 74-416 adopted accepting improvements. (Clerk to handle)

19. Revised SAAG Agreement. (Memo with agenda. Resolution approving revised SAAG Agreement and resolution selecting additional representative and alternate in anticipation of ratification of agreement)

ACTION: Res. 74-417 adopted (Kullijian/Elliott, unan. - Simon, absent) approving revised agreement.

Res. 74-418 adopted (Kullijain/Elliott, unan. - Simon, absent) appointing Councilmember Dunlap as representative and Councilmembers Kullijian and Newton together with City Manager Lipsky as alternates. (Clerk to handle)

20. Agreement for park maintenance, Highway Village Community Services District.
(Agreement with Highway Village Community Services District for City to maintain park in Highway Village for \$147.00 per month from May 29, 1974 to November 28, 1974. Resolution approving agreement needed)

DROPPED FROM AGENDA

CONSENT

21. Approval of Geer Road Sanitary Landfill Budget for 1974-75.
(Memo with agenda. Resolution approving budget needed.)

ACTION: Res. 74-419 adopted approving budget. (C/Mgr to handle)

APPROPRIATION TRANSFERS

CONSENT

22. Consider transfer of \$1,000 from the General Reserve to Account 320-43-101.
(The cost of maintenance of street lights, traffic signals and fire alarms has exceeded the amount estimated for the year. Memo with agenda. Resolution approving the transfer needed)

ACTION: Res. 74-420 adopted approving appropriation transfer of \$1,000 from Account 60-101 to Account 320-43-101. (Finance to handle)

MISCELLANEOUS

23. Legislation.

ACTION: By motion (Dunlap/Newton, unan.) SCA 44 opposed.
By motion (Dunlap/Mensingler, unan.) AB 3683 opposed.
By motion (Newton/Dunlap, unan.) SB 2046 supported.
(C/Mgr to handle)

24. Appointments.

NONE

25. Matters too late for the agenda.

ACTION: Staff was directed to report to Council on costs and feasibility of lapel mikes. (Finance to handle)

After a poll of the Council, it was agreed that the next budget session would be held June 4 at 4:00 P.M.

Res. 74-421 adopted (Elliott/Dunlap, unan.) setting June 17, 1974 at 4:05 P.M. as time for hearing appeal by C. W. Noble to Board of Zoning Adjustment denial of request for a variance to allow a commercial building in a C-2 zone without a building setback on property located at the southeast corner of Yosemite and Santa Rita. (Clerk to handle)

By motion (Newton/Kullijian, unan.) recommendations concerning PEP employees approved. (Personnel to handle)

Chris Kireakou, Local Manager of Cablecom General of Modesto, reported on improvements made recently to the cable system.

Adjournment at 4:35 P.M.

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

Page 5

5/28/74

Modesto City Council
Regular Meeting
May 28, 1974
7:30 P.M.

The City Clerk opened the meeting at 7:30 P.M. and, as Councilmember Dunlap was the only member of the Council present, the Clerk continued the public hearing on the annexation of the Lincoln-Penny Addition to the Modesto Municipal Sewer District No. 1 to 4:05 P.M. on June 3, 1974. At this time the meeting was adjourned by the City Clerk.

Councilmembers Elliott, Kullijian, Mensinger and Simon then arrived and the Public Projects Committee continued the study of commercial standards in the Modesto Urban Area General Plan. Members of the audience participated in the discussion.

Public Projects Committee
The meeting was adjourned at 9:45 P.M.

ATTEST:



W. T. CHYNOWETH, City Clerk

Adjourned Special Meeting
Modesto City Council
May 30, 1974

As there were no members of the Modesto City Council present at 4:00 P.M., the time to which the Special Council meeting had been adjourned, the City Clerk adjourned said Special Meeting to 4:00 P.M. on June 4, 1974.



W. T. CHYNOWETH, City Clerk

5/30/74

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JUNE 3, 1974 AT 4:00 P.M.

Roll call Present: Dunlap, Kullijian, Mensinger, Newton, Simon,
Mayor Davies
Absent: Elliott

Pledge of allegiance to the Flag.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 4, 6, 7, 8, 9, 10, 14,
Item 26 removed from consent 15, 16, 17, 18, 20, 21, 22, 23,
Dunlap/Kullijian, unan. - Elliott, 25, 27, 28, 29, 30
absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of May 23 and 28, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Appeal by Albert and Marcella Johansen to elimination of parking in front of residence at 117 West Morris Avenue.

ACTION: By motion (Kullijain/Newton, unan.) referred to staff to handle.
(P & T to handle)

3. Request of Bill Hughes for retention of H-1 or general commercial zoning at southeast corner of Dale and Rumble.

ACTION: By motion (Dunlap/Newton, unan.) request referred to Planning Commission for consideration on June 4 and report to Council on June 10 if at all possible. (Planning to handle)

CONSENT

4. Request of First United Pentecostal Church for use of parking space at corner of 11th and Eye Streets for a soft drink booth on the Fourth of July.
(Resolution granting request needed)

ACTION: Res. 74-422 adopted granting request. (Police to handle)

5. Request of Richard Todd Thomas, et al, for permission to file late claim.
(Resolution denying request needed)

ACTION: (Councilman Simon was excused from consideration of this item due to a conflict of interest)

Res. 74-423 adopted (Dunlap/Kullijian, unan. - Elliott & Simon, absent) denying request. (Clerk to handle)

BIDS

CONSENT

6. Consider acceptance of Valley Construction Co.'s contract for installation of water lines in Bowen Avenue.
(Original contract, \$3,468.00. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file the notice of completion. Resolution accepting work needed. Final cost \$3,261.90)

ACTION: Res. 74-424 adopted accepting contract. (Clerk to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for installation of waterlines in Hintze Avenue between McHenry Avenue and High Street and authorize City Manager to sign easement agreement with M.I.D. to allow a waterline crossing of their facilities. Suggested bid opening date June 18, 1974 at 10:00 A.M.
(This project has been scheduled as a strengthening project. Resolution approving plans, specifications and bid call and resolution approving easement agreement needed. Estimated cost \$35,378.33 (\$30,552.50, Construction; \$4,825.83, Matl. Funds budgeted in Account 6828-50-101, Strengthen Water System, Various Locations; 8828-50-101, Strengthen Water System)

ACTION: Res. 74-425 adopted approving plans and specifications and bid call.

Res. 74-426 adopted approving easement agreement with M.I.D.
(Clerk to handle)

CONSENT

8. Consider award of contract to slurry seal the utility runway at Modesto City-County Airport.
(Bids were opened May 21, 1974. The apparent low bid has been ruled unacceptable by the City Attorney because of irregularities in filling out the proposal form. The other bid received which is from Reed & Graham, Inc. is 17% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to Reed and Graham, Inc. Resolution awarding bid and resolution approving appropriation transfer of \$15,000 needed)

ACTION: Res. 74-427 adopted awarding contract to Reed & Graham, Inc.
(P/W to handle)

Res. 74-428 adopted approving appropriation transfer of \$15,000 from Account 60-306 to Account 6484-306. (Finance to handle)

CONSENT

9. Consider acceptance of Ferrero Electric Inc.'s contract for replacement of lights at Del Webb Field.
(Original contract \$5,765.00. All work on this project has been completed to the satisfaction of the Parks Department and the Public Works Department. It would be in order to accept the work as complete and to file the notice of completion. Final contract cost \$5,765.00. Funds budgeted in Account 6398-31-321, Del Webb Lights. Resolution accepting work needed)

ACTION: Res. 74-429 adopted accepting contract. (Clerk to handle)

CONSENT

10. Consider award to low bidder Nixon-Egli Equipment Company, Inc. to furnish one new asphalt Hot Patch unit. (Memo with agenda. Resolution needed. Estimated cost \$11,905. Funds budgeted in Account 5445-48-512, Service Division Capital Outlay, p. 143)

ACTION: Res. 74-430 adopted awarding contract to Nixon-Egli Equipment Co. (Finance to handle)

HEARINGS

11. Hearings on requirement to construct curbs and gutters and/or sidewalks at the following locations: 4:00 P.M.

- (a) Curb and sidewalk at 2401 Coffee Road, a portion of Block 12937. (Marvin D. Allen)
(Drop from agenda - doing own work)
- (b) Curb and sidewalk at 2301 Coffee Road, a portion of Block 12937. (Marion W. Clark)
(Drop from agenda - doing own work)
- (c) Curb and sidewalk at 2305 Coffee Road, a portion of Block 12937. (P. J. Knutson)
(Drop from agenda - doing own work)
- (d) Curb and sidewalk at 2513 Coffee Road, a portion of Block 12937. (Michael Masellis)
- (e) Curb and sidewalk at 2317 Coffee Road, a portion of Block 12937. (Elsie May Peebler)
(Drop from agenda - doing own work)
- (f) Curb and sidewalk at 2413 Coffee Road, a portion of Block 12937. (Arlie Ralls)
- (g) Curb and sidewalk at 2405 Coffee Road, a portion of Block 12937. (Rosa B. Rhodes)
(Drop from agenda - doing own work)
- (h) Curb and sidewalk at 2217 Coffee Road, a portion of Block 12937. (Harry G. Russell)
(Drop from agenda - doing own work)

ACTION: Res. 74-431 adopted (Dunlap/Newton, unan. - Elliott, absent) ordering work done. (P/W to handle)

12. Continued hearing on annexation of Lincoln-Penny Addition to Modesto Municipal Sewer District No. 1. 4:05 P.M.

ACTION: Res. 74-432 adopted (Kullijian/Dunlap, unan. - Elliott, absent) annexing Lincoln-Penny Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

13. Matters for the good of the community. 4:10 P.M.
(These may be presented by interested persons in the audience)

ACTION: Councilman Kullijian introduced his daughter, Missie.

NEW BUSINESS

CONSENT

14. Accept improvements in Coleman Acres No. 3 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods.
(Coleman Acres No. 3 Subdivision is located south of Sylvan Avenue between McHenry Avenue and Coffee Road. All Improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 74-433 adopted accepting improvements. (Clerk to handle)

CONSENT

15. Resolution of Intention to call special election for annexation of North Tully No. 1 Addition to City of Modesto.
(A petition containing 16 valid signatures and requesting that the North Tully No. 1 Addition be annexed to the City of Modesto has been filed with the City Clerk. This represents 51.6% of the registered voters. Resolution setting July 8, 1974 at 7:30 P.M. for hearing protests to annexation needed)

ACTION: Res. 74-434 adopted setting hearing. (Clerk to handle)

CONSENT

16. A resolution approving final map of Poppypatch No. 2 Subdivision of the City of Modesto and authorizing agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.
(The subdivision agreement has been signed and all fees paid. Poppypatch No. 2 Subdivision is located on the west side of Lincoln Avenue, north of Yosemite Boulevard. It contains 7.572 acres. Resolution approving final map needed)

ACTION: Res. 74-435 adopted approving final map. (Clerk to handle)

CONSENT

17. A resolution approving final map of the North Hampton Park 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.
(The subdivision agreement has been signed and all fees paid. North Hampton Park No. 2 Subdivision is located on the south side of Sylvan Avenue west of Coffee Road. It contains 14.606 acres. Resolution approving final map and subdivision agreement needed)

ACTION: Res. 74-436 adopted approving final map. (Clerk to handle)

CONSENT

18. Approve agreement with State for traffic signals at Rumble and McHenry and transfer funds for City's share.
(The State will handle the plans, specifications and construction. City's share is estimated at \$27,000, half of the total cost. Memo with agenda. Resolution approving agreement and resolution approving transfer of funds needed)

ACTION: Res. 74-437 adopted approving agreement. (Clerk to handle)

Res. 74-437-A adopted approving appropriation transfer of \$27,000 from Account 6536-41-321 to Account 6095-56-321.
(Finance to handle)

19. Consider rate increase at the Modesto City-County Airport.
(Memo with agenda. Motion directing staff or resolution adopting proposed rate schedule needed)

ACTION: By motion (Kullijian/Simon, maj. - Dunlap and Davies, no) approval given to 7% increase in all rates and staff directed to make a further study of this to establish guidelines.
(P/W to handle)

CONSENT

20. Consider revised agreement covering cost of Carpenter Road railroad overpass.
(Memo with agenda. Agreement has been revised to show new costs. The City's net cost would be about \$279,000, up from about \$202,000. Resolution approving agreement and resolution committing funds needed. Estimated cost \$557,738.67. Funds budgeted in Account 6735-41-321, Prescott-Carpenter Overpass (\$404,544). Balance of funds needed to be requested later from Fund 205, Prescott-Carpenter Overpass. Reason for delaying: Local Transportation Fund Claim for 1974-75 fiscal year is to be amended to provide a total of \$154,000)

ACTION: Res. 74-438 adopted approving revised agreement with County and State. (Clerk to handle)

Res. 74-439 adopted committing funds for this project, (Finance to handle)

CONSENT

21. Consider agreement with John D. Griswold for removal of a barn located on Tuolumne River Regional Park property.
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 74-440 adopted approving agreement. (Clerk to handle)

CONSENT

22. The annual recreation agreement between County of Stanislaus and 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 \$15,869.41 for expenditures by the City on community recreation for the fiscal year 1973-74. This is a decrease of \$8.56 from last year's allocation. Resolution approving agreement needed)

ACTION: Res. 74-441 adopted approving agreement. (Clerk to handle)

CONSENT

23. Amendment to 1973-74 operating budget to provide money for Junior Golf Program.
(Memo with agenda. Resolution amending budget needed)

ACTION: Res. 74-442 adopted amending 1973-74 operating budget.

24. Consider Memorandum of Understanding with Modesto City Employees' Association.
(Memo with agenda. Resolution approving needed)

ACTION: Res. 74-443 adopted (Dunlap/Newton, unan. - Elliott, absent) approving Memo of Understanding. (Personnel to handle)

CONSENT

25. Consider acquisition of property from the Goodwill School, Inc. for Dry Creek Park and consider authorizing the lease of said property for school purposes.
(Two memos have been sent to the Mayor and Councilmen with agenda. One resolution needed approving agreement for acquisition; three resolutions needed approving letter agreements for relocation assistance. Motion authorizing staff to negotiate for lease of property needed. Estimated cost \$150,980.00. Funds budgeted in Account 6415-31-321, Dry Creek Park Land Acquisition)

ACTION: Res. 74-444 adopted approving purchase agreement with the Goodwill School, Inc.

Res. 74-445 adopted approving letter agreement with the Goodwill School, Inc. (relocation).

Res. 74-446 adopted approving letter agreement with Mrs. Mildred Goodwill (replacement housing).

Res. 74-447 adopted approving letter agreement with Mr. and Mrs. Johnny Davis (dislocation and moving expense).
(Clerk to handle)

REPORTS

26. Report on federal aid for railroad overpasses.
(Memo with agenda. Such aid cannot be used at the Carpenter Road overpass because state enabling legislation has not been passed. However, it is in the offing, but would surely delay the Highway 99 construction. Motion accepting report needed)

ACTION: By motion (Dunlap/Kullijian, unan.) report accepted and staff directed to check into status of state legislation. (P & T to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

27. Ribera and Sue prototype street closure structures - authorization for additional work.
(Memo with agenda. Motion approving additional work and directing staff to negotiate an additional time and materials contract with Ribera and Sue. Funds budgeted in Account 6647-41, P.W. - Misc. R/W improve.)

ACTION: By motion, additional work approved and staff authorized to negotiate additional contract at a cost of \$650. (Planning to handle)

CONSENT

28. Recommend to the Council the adoption of a specific plan for Yosemite Boulevard.
(On February 19, 1974 the Planning Commission adopted Resolution No. 74-26 recommending to the City Council the adoption of a specific plan for Yosemite Boulevard between Riverside Drive and 884 feet west of McClure Road. Resolution setting July 1, 1974 at 4:00 P.M. for public hearing needed)

ACTION: Res. 74-448 adopted setting hearing. (Clerk to handle)

CONSENT

29. Recommend the granting of an unclassified use permit to the Modesto City School District for the establishment of a mobilehome on the Roosevelt School site.

(On May 21, 1974 by Resolution No. 74-72, the Planning Commission recommended to the Council the granting of an unclassified use permit to the Modesto City Schools to allow establishment of a single mobilehome and residency on the Roosevelt School site located on the southeast corner of College Avenue and West Orangeburg Avenue. Resolution setting July 1, 1974 at 4:05 P.M. for public hearing needed)

ACTION: Res. 74-449 adopted setting hearing. (Clerk to handle)

CONSENT

30. Recommend the granting of an unclassified use permit to the Modesto City Schools for the establishment of a mobilehome on the Downey High School site.

(On May 21, 1974 by Resolution No. 74-73 the Planning Commission recommended to the Council the granting of an unclassified use permit to the Modesto City Schools to allow establishment of a single mobilehome and residency on the Downey High School site located between Coffee Road and Brighton Avenue, south of Downey Park. Resolution setting July 1, 1974 at 4:10 P.M. for public hearing needed)

ACTION: Res. 74-450 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

31. Legislation.

ACTION: By motion, (Kullijian/Mensing, unan.) SB 2133 supported.
By motion, (Newton/Simon, unan.) AB 3745 opposed.
By motion, (Mensing/Dunlap, unan.) AB 3871 supported.
By motion, (Mensing/Simon, unan.) SB 2139 opposed due to loss of revenue only.
By motion, (Kullijian/Simon, unan.) AB 3523 opposed.
By motion, (Newton/Mensing, unan.) SB 1659 supported.
By motion, (Dunlap/Kullijian, unan.) SB 2177 opposed.
(C/Mgr to handle)

32. Appointments.

NONE

33. Matters too late for the agenda.

NONE

Adjournment at 6:05 P.M.

ATTEST:


W. T. CHYNOWETH, City Clerk

Modesto City Council
June 4, 1974

The Council of the City of Modesto met in adjourned special session this date at 4:00 P.M. in the Law Library, City Hall, 801 Eleventh Street, Modesto, California, to consider further the preliminary budget for fiscal year 1974-75.

Present: Councilmembers: Dunlap, Kullijian, Mensinger, Mayor Davies

Absent: Councilmembers: Elliott, Newton, Simon

The following budgets were discussed:

It was reported that the \$7,940 listed in Supplemental Requests, Public Works - Sewers - 52, for a maintenance man would be deleted as it was included in the budget for Comprehensive Employee Training Act (Fund 220).

COMPREHENSIVE EMPLOYEE TRAINING ACT - Fund 220 - (P. 156-157)

NEIGHBORHOOD YOUTH ADVISOR PROGRAM - Fund 221 - (P. 158-160)
(It was pointed out that this program was only funded through November 30, 1974)

HEAD REST PROGRAM - Fund 222 - (P. 162-164)

(The Council was informed that this program was scheduled for termination September 30, 1974 rather than November 30, 1974. E. Roger Thompson, Executive Director of Head Rest, Inc., requested that the City of Modesto contribute \$20,000 a year for a two-year period to enable the "School Ombudsmans Project" to continue. He stated that a similar request was being made to the Modesto City School District. It was agreed that action need not be taken on this request immediately but Mr. Thompson stated that the deadline would be the middle of July)

BOND REDEMPTION AND INTEREST REQUIREMENTS - (P. 170-171)

By motion (Kullijian/Mensinger, unan.) all budget items with changes as noted were given tentative approval.

The following items in the Capital Improvement Program were then considered:

FIRE

POLICE

PARKS AND RECREATION

CITY HALL

PUBLIC WORKS - ENGINEERING

PUBLIC WORKS - AIRPORT

PUBLIC WORKS - SERVICE

PUBLIC WORKS - WATER

PUBLIC WORKS - STREETS

PUBLIC WORKS - STORM DRAINAGE

PUBLIC WORKS - SEWERS AND SEWAGE DISPOSAL

PUBLIC WORKS - STREET LIGHTING

PARKING AND TRAFFIC

DOWNTOWN IMPROVEMENT DISTRICT

REVENUE SHARING PROJECTS

By motion (Mensing/Dunlap, unan.) the C.I.P. was given tentative approval.

The meeting adjourned at 5:30 P.M.

ATTEST:



W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JUNE 10, 1974 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Simon, Mayor Davies
Absent: None
(Councilmember Newton arrived at 7:33 P.M. Council-
member Simon arrived at 7:35 P.M.)

Pledge of allegiance to the Flag.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 4A, 5, 6, 7, 8, 12,
Dunlap/Elliott, unan. - Newton and 13, 14, 15, 16, 17, 18, 19, 20,
Simon, absent 21, 22, 24, 25

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of May 30, June 3 and 4, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Letter from Modesto City Board of Education stating its intention to sell property on Old Oakdale Road between Orangeburg and Briggsmore and its intention to seek commercial and R-3 zoning for that property.
(Motion ordering filed needed)

ACTION: By motion, letter ordered filed.

3. Petition protesting removal of trees for widening of Scenic Dr.

ACTION: By motion (Elliott/Kullijian, unan.) staff directed to proceed with project and Mayor or City Manager requested to write petitioners with thanks of Council for submission of petition.
(C/Mgr to handle)

4. Report by League of Women Voters on the June 4 promotion of the McHenry Avenue bus.

ACTION: Carol Christensen, Transportation Chairman of the League, reported that there was an enthusiastic response to the bus and riders requested additional areas to be covered and Sunday and evening runs. A monthly pass system was also suggested.

BIDS

CONSENT

- 4A. Consider award to low bidder, Western Farm Service, Inc., and authorize purchase of liquid anhydrous ammonia and ammonium phosphate seasonal requirements ending October 31, 1974.
(Memo with agenda. Resolution needed. Estimated cost: \$181,000; funds budgeted in Account No. 312/53/101, Chemicals, Drugs and Lab Supplies)

ACTION: Res. 74-451 adopted awarding contract to Western Farm Service, Inc. (Finance to handle)

CONSENT

5. Consider award to low bidder, The Flintkote Company, Modesto, California, to furnish our annual requirements of ready-mixed concrete for fiscal year 1974-75.
(Memo with agenda. Resolution needed. Estimated cost: \$6,992.00; funds budgeted in Account No. 321/51/101, Construction material and other accounts.)

ACTION: Res. 74-452 adopted awarding contract to The Flintkote Co. (Finance to handle)

CONSENT

6. Consider rejecting all bids received and authorizing purchase of a street light maintenance truck from General Cable Corporation at a negotiated price not to exceed \$20,969.56.
(Memo with agenda. Resolution rejecting all bids and waiver of formal bid requirements and resolution authorizing negotiated purchase. Estimated cost: \$20,970.00; funds budgeted in Account No. 5428-48-512, Service Division Capital Outlay.)

ACTION: Res. 74-453 adopted rejecting all bids received.

Res. 74-454 adopted waiving formal bid procedure and authorizing negotiated purchase. (Finance to handle)

CONSENT

7. Consider award to low bidder, George Reed, Inc., to furnish our annual requirements of liquid and emulsified asphalt for the 1974-75 fiscal year.
(Memo with agenda. Resolution needed. Estimated cost: \$21,000.00; funds budgeted in Account No. 321/51/101, Construction material)

ACTION: Res. 74-455 adopted awarding contract to George Reed, Inc. (Finance to handle)

CONSENT

8. Consider awards to low bidders to furnish rock, sand, and gravel for one year, ending June 30, 1975.

<u>MJ RUDDY & SON</u>	Crushed rock screenings	\$4.45/ton
<u>THE FLINTKOTE CO.</u>	Fill sand	\$2.50/ton
	Aggregate base material	\$2.60/ton
	Drain rock	\$2.85/ton
	Concrete mix aggregate	\$2.85/ton
	Fine aggregate	\$2.85/ton

(Memo with agenda. Two resolutions needed. Estimated cost: \$15,777.00; funds budgeted in Account No. 438/512, Service Div. Revolving Fund)

ACTION: Res. 74-456 adopted awarding contract for Crushed Rock Screenings to M.J. Ruddy & Son.
Res. 74-457 adopted awarding contract for balance to The Flintkote Co. (Finance to handle)

HEARINGS

9. Hearing, Budget and six-year Capital Improvement Program. 7:30 P.M.

ACTION: Cliff Humphrey, President of Ecology Action Institute, offered the assistance of the Institute in helping to solve wastewater problems. As no other members of the audience wished to speak, the hearing was closed. It was agreed that the budget would be presented for adoption on June 17. (Finance to handle)

10. Hearing, amendments to zoning regulations relating to multiple-family housing and signs. 7:40 P.M.

ACTION: Ord. No. 1364-C.S. introduced (Elliott/Dunlap, unan.) amending Title X of Municipal Code.

Ord. No. 1365-C.S. introduced (Elliott/Dunlap, unan.) amending Title IX of Municipal Code. (Clerk to handle)

Res. 74-458 adopted (Elliott/Dunlap, unan.) directing Director of Planning to file Notice of Determination of the environmental impact of Ord. No. 1364-C.S. (Planning to handle)

11. Matters for the good of the community. 7:45 P.M.
(These may be presented by interested persons in the audience)

ACTION: Mrs. Libershack of Redding, stated that the Forever Young Senior Citizens were unable to hold their meetings at the Senior Citizens Center and that they had been given unsuitable meeting places. After the Director of Parks & Recreation explained the difficulties her department had in allocating space, it was agreed that a complete report on this matter would be furnished the Council. (P & R to handle)

ORDINANCES

CONSENT

12. Consider adoption of 1973 Edition - Uniform Housing Code.
(Memo with agenda. Introduction of ordinance needed)

ACTION: By motion, Ord. No. 1366-C.S. introduced. (Clerk to handle)

NEW BUSINESS

CONSENT

13. Consider agreement between Modesto City School District of Stanislaus County and City of Modesto for purchase of property from the school district by city for a park site adjacent to the school district's school site.
(Memo with agenda. Adoption of resolution approving agreement needed. Estimated cost: \$24,800.00; funds budgeted in Account No. 6418-31-101, (page 131 of 1973-74 budget), E. Orangeburg Land Acquisition)

ACTION: Res. 74-459 adopted approving agreement. (Clerk to handle)

CONSENT

14. Consider waiving escalation of bond redemption charges for residential, commercial and industrial properties for fiscal year 1974-75.
(Memo with agenda. Resolution waiving automatic \$25 escalation of bond redemption charges per dwelling unit of residential properties, and \$100 per acre escalation of bond redemption charges on commercial and industrial properties.)

ACTION: Res. 74-460 adopted waiving escalation for fiscal year 1974-75.
(Finance to handle)

CONSENT

15. Consider approval of the application to the California Public Utilities Commission for a crossing of the Tidewater Southern Railway Company tracks by Briggsmore Avenue, eastbound. (When Briggsmore Avenue from McHenry to Prescott is improved it will have two divided roadways, eastbound and westbound. The eastbound roadway crossing is considered new and requires approval of the P.U.C. The agreement with the Railroad for the construction was approved by Council on September 17, 1973. Resolution approving application needed)

ACTION: Res. 74-461 adopted approving application to P.U.C. (P/W to handle)

CONSENT

16. Public Personnel Intern Program (CSCS). (To permit City of Modesto to continue to employ students from C.S.C.S. under federally funded Intergovernmental Personnel Act of 1970 for summer 1974. Resolution authorizing City Manager to sign agreements with CSCS Foundation for employment of student interns. Funds budgeted in Account No. 120-17-101.)

ACTION: Res. 74-462 adopted authorizing City Manager to sign agreements. (Personnel to handle)

CONSENT

17. Consider cooperative agreement between the United States Geological Survey and the City of Modesto for water resources investigations. (Memo with agenda. Resolution approving agreement needed).

ACTION: Res. 74-463 adopted approving agreement. (Clerk to handle)

CONSENT

18. Consider approval of an encroachment permit for a raised brick planter in the sidewalk area at 1200 H Street. (Memo with agenda. Resolution approving encroachment permit needed)

ACTION: Res. 74-464 adopted granting encroachment permit to Mr. and Mrs. Lane Ward subject to conditions recommended by Director of Public Works. (P/W to handle)

CONSENT

19. Consider requests for sewer service to the following properties: (1) 2328 Bellamy St., Cecil & Barbara Jean Caudle, located on the South side of Bellamy between Trask & Colfax. (2) 2332 Bellamy, Ruth Miller, located on the South side of Bellamy between Trask & Colfax. (3) 2337 Haddon, Viola Burge, located on the northwest corner of Trask & Haddon. (The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to the City and the sewer main must be extended to serve properties listed above. Three resolutions approving agreements needed)

ACTION: Res. 74-465 adopted approving agreement (Caudle).

Res. 74-466 adopted approving agreement (Miller).

Res. 74-467 adopted approving agreement (Burge). (Clerk to handle)

REPORTS

CONSENT

20. Approval of Revenue Sharing Planned Use Report, Entitlement 5, July 1, 1974, through June 30, 1975.
(Memo with agenda. Resolution approving report needed.)

ACTION: Res. 74-468 adopted approving report. (Finance to handle)

CONSENT

21. Presentation of Financial Statement for May, 1974.
(Copies of report to be distributed at meeting. Motion accepting report needed)

ACTION: By motion, report accepted.

REPORTS FROM PLANNING COMMISSION

CONSENT

22. Recommend amendment to Section 10-2.1505.1 of Title X of the Modesto Municipal Code (zoning regulations relating to the city-county zoning conversion table).
(By Resolution 74-88 adopted on June 4, 1974, the Planning Commission recommends to the Council an amendment to Section 10-2.1505.1 of Title X of the Modesto Municipal Code (zoning regulations relating to the city-county zoning conversion table). Resolution setting July 1, 1974 at 4:15 P.M. for public hearing needed)

ACTION: Res. 74-469 adopted setting hearing. (Clerk to handle)

23. Hughes Car Dealership Relocation - Dale Road near Rumble Road.
(Memo with agenda. By motion, preliminarily determine whether or not existing H-1 zoning should be retained and whether a general commercial area should be added to the General Plan Map).

ACTION: By motion (Dunlap/Mensing, maj. - Elliott, no) it was agreed to delay further consideration of this request until the hearing on proposed amendments to the General Plan when the entire area would be studied.

CONSENT

24. Preliminary Determination; Council agreement not to succeed to Williamson Act contract on Eula Scott parcel at time of annexation.
(Memo with agenda. Motion of approval needed)

ACTION: By motion, approval given to recommendation not to succeed to Williamson Act contract. (Planning to handle)

APPROPRIATION TRANSFERS

CONSENT

25. Request for approval of appropriation transfer for part-time salaries for Personnel Office for balance of fiscal year 1973-74.
(Memo with agenda. Adoption of resolution approving appropriation transfer needed. Estimated cost: \$400).

ACTION: Res. 74-470 adopted approving appropriation transfer of \$400 from Account 60-101 to Account 120-17-101. (Finance to handle)

MISCELLANEOUS

26. Legislation.

ACTION: By motion (Kullijian/Newton, unan.) SB 2446 opposed,
(C/Mgr to handle)

27. Appointments.

ACTION: Res. 74-471 adopted (Mensingher/Kullijian, unan.) reappointing Reverend Ben Jennings and Gordon Nutson as members of the Human Rights Commission for terms ending May 1, 1978, and appointing Caroline Kerr to replace Ed Bean on said Commission for a term ending May 1, 1976. (Clerk to handle)

28. Matters too late for the agenda.

ACTION: Councilmember Dunlap presented the findings of the Public Projects Committee on the study concerning commercial standards of the Modesto Urban Area General Plan. It was agreed that this report would be a subject of discussion at the June 17 Council meeting,

29. The Council retired to Executive session at 10:20 P.M. to discuss salaries of department heads and Council appointees. It was announced that the Council would not return to open meeting.

Adjournment at 10:20 P.M.

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JUNE 17, 1974 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Simon, Mayer Davies

Absent: None

(Councilman Newton arrived at 4:05 P.M.)

Pledge of allegiance to the Flag

Invocation by Father Cornelius DeGroot, St. Joseph's Catholic Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8,
Dunlap/Elliott, unan. - Newton, absent 12, 15, 16, 17, 19, 20, 21, 23,
24, 25

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of June 10, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

BIDS

CONSENT

2. Consider acceptance of George Reed, Inc.'s contract for improvement of "G" Street from First to Sixteenth.
(Original contract \$94,665.00. All work on this project has been completed to the satisfaction of the Public Works Department and the State Department of Transportation. It would be in order to accept the work as complete and to file the notice of completion. Resolution accepting work needed. Final contract cost \$86,794.43. Funds budgeted in Account 6750-1-207, "G"/First to 16th)

ACTION: Res. 74-472 adopted accepting contract. (Clerk to handle)

CONSENT

3. Consider approval of plans and specifications and call for bids for construction of Day Camp at Moose Park.
(Bid opening July 2, 1974 at 10:00 A.M. This has been budgeted as part of the Moose Park improvements. Resolution needed. Estimated cost \$23,500 (\$22,000, Const. \$1,500, Eng.) Funds budgeted in Accounts 5321, Moose Park Development and 6321-325, Moose Park)

ACTION: Res. 74-473 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

4. Consider award to low bidder Consolidated Electrical Distributors, Modesto, for furnishing annual requirements of lamps beginning July 1, 1974.
(Memo with agenda. Resolution needed. Estimated cost \$5,864. Funds budgeted in Account 438/512, Revolving Fund, not shown in budget)

ACTION: Res. 74-474 adopted awarding contract to Consolidated Electrical Distributors. (Finance to handle)

CONSENT

5. Consider award to low bidder, Pervo Paint Company of Los Angeles, to furnish our annual requirements of traffic line paint ending July 14, 1975.
(Memo with agenda. Resolution needed. Estimated cost \$27,200. Funds budgeted in Account 321-56-101, Construction Material)

ACTION: Res. 74-475 adopted awarding contract to Pervo Paint Co.
(Finance to handle)

CONSENT

6. Consider rejecting all bids for annual supply of liquid chlorine and authorizing purchasing of needed supplies from Jones Chemicals, Inc. at a negotiated price of \$149 per ton.
(Memo with agenda. Resolution rejecting all bids and resolution waiving formal bid procedure and authorizing negotiated purchase. Estimated cost \$83,000. Funds budgeted in Account 312-53-101, Chemicals, Drugs, and Lab Supplies)

ACTION: Res. 74-476 adopted rejecting all bids received.

Res. 74-477 adopted waiving formal bid procedure and authorizing negotiated purchase. (Finance to handle)

CONSENT

7. Consider award of contract for replacing catch basins at various locations.
(Bids were opened June 11, 1974. The low bid submitted by Lee A. Cain is 24% over the estimate. A review of the project with the bidders indicates that the estimate did not adequately reflect the costs involved. It is recommended that the contract be awarded to Lee A. Cain. Resolution needed. Estimated cost \$11,800. Funds budgeted in Account 5305-51-101, Catch Basins and 6756-41-321, Misc. Storm Drain)

ACTION: Res 74-478 adopted awarding contract to Lee A. Cain. (P/W to handle)

CONSENT

8. Consider award of bid for painting of elevated water tank No. 2 in the City of Modesto.
(Bids were opened June 11, 1974. The low bid submitted by C. C. Knight Painting, which is 43% under the Engineer's Estimate is considered acceptable. It is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding contract needed. Estimated cost \$8,485. Funds budgeted in Account 5302-50-101, Paint/Elevated Tank No. 2)

ACTION: Res. 74-479 adopted awarding contract to C. C. Knight Painting.
(Finance to handle)

HEARINGS

9. Hearing on appeal by Long's Drug Stores to denial by Planning Commission Chairman (3-3 vote) of request for P-D zoning to permit development at southwest corner of Oakdale Road and Orangeburg Ave. 4:00 P.M.
(NOTE: This will be continued to June 24, 1974 at 7:45 P.M. Motion needed)

ACTION: By motion (Mensing/Dunlap, unan.) hearing continued to June 24, 1974 at 7:45 P.M. (Clerk to handle)

10. Hearing on appeal by C. W. Noble to denial by Board of Zoning Adjustment of request for variance to allow a commercial building in a C-2 zone without a building setback on property at the southeast corner of Yosemite and Santa Rita. 4:05 P.M.

ACTION: Res. 74-480 adopted (Elliott/Kullijian, unan.) overruling decision of Board of Zoning Adjustment and granting variance. (Planning to handle)

11. Matters for the good of the community. 4:10 P.M.
(These may be presented by interested persons in the audience)

ACTION: Randy Hicks complained that the Black Festival had not been permitted to use amplified music in Mellis Park but amplification had occurred in other parks. It was pointed out that the staff had not granted permission to anyone. The Council expressed its regrets over the occurrence.

ORDINANCES

CONSENT

12. Final adoption of the following:
(Three motions adopting needed)
(a) Ord. No. 1364-C.S. - amendments to zoning regulations.

ACTION: By motion, Ord. No. 1364-C.S. adopted.

- (b) Ord. No. 1365-C.S. - amendments to sign regulation.

ACTION: By motion, Ord. No. 1365-C.S. adopted.

- (c) Ord. No. 1366-C.S. - amendments to housing code.

ACTION: By motion, Ord. No. 1366-C.S. adopted. (Clerk to handle)

13. Consider adoption of budget for the 1974-75 fiscal year and adoption of the Six-Year Capital Improvement Program.
(A report has been prepared which shows the adjustments to the preliminary budget which have been reviewed and recommended by the City Council, including the first year of the Six-Year Capital Improvement Program, and other adjustments based on updated information. Ordinance adopting 1974-75 budget, including the first year of the Capital Improvement Program needed)

ACTION: Ord. No. 1367-C.S. adopted (Elliott/Kullijian, unan. - Newton, absent) adopting 1974-75 budget and Capital Improvement Program. (Clerk to handle)

NEW BUSINESS

14. Relocation expenses re Needham Street widening project - Mr. and Mrs. William G. McDowell.
(Mr. and Mrs. McDowell were forced to move some personal property from the service station they own on Needham Avenue, which was purchased by the City recently for the street widening project. The City is required to pay moving expenses by State law. Resolution approving letter agreement needed. Estimated cost \$800.00. Funds budgeted in Account 6700-205, Needham/Hackberry to Nellie)

ACTION: (Councilmember Kullijain was excused from consideration of this item due to his close friendship with Mr. McDowell)

Res. 74-481 adopted (Elliott/Dunlap, unan. - Kullijian, absent) approving letter agreement. (Clerk to handle)

CONSENT

15. Approval of agreement with Floyd Thomas Berglund as Executive Director of the Downtown Improvement District.
(Report with agenda. Resolution approving agreement and motion approving change in D.I.D. budget needed)

ACTION: Res. 74-482 adopted approving agreement. (Clerk to handle)

By motion, changes in D.I.D. budget approved. (Finance to handle)

CONSENT

16. Approval of grant agreement from the FAA for Airport Development Aid Program (ADAP) #8-06-0153-02.
(Memo with agenda. Resolution accepting grant agreement and authorizing execution by City Manager)

ACTION: Res. 74-483 adopted accepting Grant Agreement. (Clerk to handle)

CONSENT

17. Memo from Tuolumne River Regional Park Committee.
(Memo from Richard VanderWall, Chairman, Regional Park Committee, requesting approval of the proposed 1974-75 Tuolumne River Regional Park budget as called for in the Regional Park Agreement. Funds to finance this budget are included in the City of Modesto's 1974-75 preliminary budget. City of Modesto's share of the proposed costs is \$39,140. Resolution approving proposed 1974-75 budget for the Tuolumne River Regional Park needed)

ACTION: Res. 74-484 adopted approving budget. (Finance to handle)

18. Consider adoption of resolution establishing salary schedules for city employees for period commencing June 25, 1974.
(Resolution needed)

ACTION: Res. 74-485 adopted (Elliott/Dunlap, unan.) establishing salary schedules for employees.

Res. 74-486 adopted (Elliott/Dunlap, unan.) approving amendment to agreement with Coordinator of Social Services as to salary.
(Finance to handle)

CONSENT

19. Requirement for construction of curbs and gutters and/or sidewalks at the locations listed below. (74-02-04,05,06)
(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 July 8, 1974 at 7:40 P.M. for hearing needed)
- (a) Curb, sidewalk at 2301 Coffee Road, portion of Block 12937.
(Marion W. Clark)
 - (b) Curb and sidewalk at 2305 Coffee Rd., portion of Block 12937.
(Lillian Knutson)
 - (c) Curb and sidewalk at 2317 Coffee Rd., portion of Block 12937.
(Elsie May Peebler)

ACTION: Res. 74-487 adopted setting hearing. (P/W to handle)

REPORTS

CONSENT

20. Report on staff meeting with Ecology Action and garbage companies concerning recycling.
(Memo with agenda. No action required)

ACTION: None.

CONSENT

21. Report on salary schedule for part time or temporary personnel (to replace schedule of September 25, 1972)
(Report with agenda. Unless Council objects, the City Manager is authorized to implement the report. No council action needed. Estimated cost \$13,490. Funds budgeted in Account 120-32-101, Salaries, Part time)

ACTION: None.

22. Discussion of Public Projects Committee findings concerning commercial standards of the Urban Area General Plan.

ACTION: By motion (Simon/Kullijian, unan.) findings accepted.

(a) Resolution setting 7:35 P.M. on July 8, 1974 for public hearing on proposed amendments to the Land Use and Circulation Elements of the Modesto Urban Area General Plan.

ACTION: Res. 74-488 adopted (Simon/Kullijian, unan.) setting hearing.
(Clerk to handle)

CONSENT

23. Report on recommended court time policy for police and fire personnel.
(Report with agenda. Motion approving recommendation of report needed)

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

REPORTS FROM THE PLANNING COMMISSION

CONSENT

24. Tentative Subdivision map of Lakewood Gardens No. 1 and 2.
(On June 4, 1974 the Planning Commission approved the revised tentative map of the Lakewood Gardens No. 1 and 2 Subdivision and find that said subdivision, together with its design and improvements, is consistent with applicable general and specific plans of the City. The City Council is required to make the same findings. An environmental assessment of the subdivision has been made and negative declarations have been filed.
(Resolution making findings needed)

ACTION: Res. 74-489 adopted making necessary findings. (Clerk to handle)

CONSENT

25. Set date for public hearing for annexation to the City of uninhabited territory. (Standiford-Carver No. 1 Addition)
(Approved by LAFC May 22, 1974. Resolution setting August 12, 1974 at 7:30 P.M. for public hearing needed)

ACTION: Res. 74-490 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

26. Legislation.

ACTION: By motion (Simon/Kullijain, unan.) staff directed to inform representatives in Congress of local general revenue sharing program. (C/Mgr to handle)

27. Appointments.

ACTION: Res. 74-491 adopted (Ellicott/Simon, unan.) appointing Councilman Kullijian as an alternate member of the Ancillary Planning Board No. 5. (Clerk to handle)

28. Matters too late for the agenda.

ACTION: Councilmember Kullijian reported on progress made by the City-County Transportation Committee and possible changes in the present system of bus operation. A more complete report will be on the Council agenda shortly.

(Councilmember Mensinger was excused from the next discussion due to a conflict of interest) Mr. Kullijian then reported that the bank which had planned to locate on the Mensinger property had decided to select another site due to adverse neighborhood reaction.

Mayor Davies reported on plans made for the Fourth of July celebration. It will be an old fashioned type of celebration with games, picnics and political speeches.

Adjournment at 6:45 P.M.

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JUNE 24, 1974 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Simon, Mayor Davies
Absent: None
(Councilman Newton was excused at 10:35 P.M.)

Pledge of allegiance to the Flag
Invocation by Father Edward Wicher, St. Dunstan's Episcopal Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 9,
Dunlap/Elliott, unan. 10, 16, 17, 18, 20, 21, 22, 23,
24, 25, 26, 27, 28, 29, 30, 31,
32, 33, 34

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of June 17, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request of Salvation Army for permission to conduct Sunday evening services in West Side Park from July 7 through August 25.
(Motion granting request needed)

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

CONSENT

3. Request of Jobs Daughters of Bethel 263 for use of parking space on 12th Street between L & M for a refreshment stand on Fourth of July.
(Resolution granting request needed)

ACTION: Res. 74-492 adopted granting request. (Police to handle)

CONSENT

4. Request of Youth for Christ/Campus Life Program for use of former First Nazarene Church Building as a funhouse during the Halloween season.
(Motion referring to staff for report needed)

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

CONSENT

5. Request for payment by August 1, 1974 of Modesto's share of SAAG budget.
(Resolution approving appropriation transfer of \$1,954 from General Reserve and motion approving payment of \$16,157.07 needed)

ACTION: Res. 74-493 adopted approving appropriation transfer of \$1,954 from Account 60-101 to Account 456-65-101. By motion, payment authorized. (Finance to handle)

BIDS

CONSENT

6. Approve plans and specifications for construction of curb and gutter on Neece Drive.
(Bid opening July 9, 1974 at 10:00 A.M. This has been budgeted as part of the Dryden Golf Course improvements. Resolution approving plans, specifications and call for bids and resolution approving appropriation transfer of \$2,000 needed. Estimated cost \$6,900. Funds are budgeted.)

ACTION: Res. 74-494 adopted approving plans, specifications and bid call.
(Clerk to handle)

Res. 74-494A adopted approving appropriation transfer of \$2,000 from Account 6368-31-321 to Account No. 6423-31-321. (Finance to handle)

CONSENT

7. Consider award of contract for installation of waterlines in Hintze Avenue between McHenry Ave. and High Street.
(Bids were opened June 18, 1974. The low bid submitted by Robco Construction Co., which is 8% under the estimate, is considered acceptable. It is therefore recommended that the contract be awarded to them. Resolution needed. Estimated cost \$26,710.70. Funds are budgeted)

ACTION: Res. 74-495 adopted awarding contract to Robco Construction Co.
(P/W to handle)

CONSENT

8. Consider approval of plans, specifications and call for bids for construction of addition to Woodland Ave. Pump Station.
(Suggested bid opening date July 9, 1974 at 10:10 A.M. This project has been budgeted to control the odors at Woodland Avenue pump station. Resolution needed. Estimated cost \$19,250. Funds are budgeted)

ACTION: Res. 74-496 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

9. Consider award of bid for Airport Improvements at the Modesto City County Airport, Airport Development Aid Program (ADAP), Project #8-06-0153-02.
(Bids were opened May 21. The low bid submitted by Ferrero Electric Inc., which is 5.37% above the Engineer's Estimate is considered acceptable. It is recommended by the Public Works Department that the bid be awarded to low bidder. Memo with agenda. Resolution awarding contract needed)

ACTION: Res. 74-497 adopted awarding contract to Ferrero Electric, Inc.
(P/W to handle)

CONSENT

10. Consider authorization to purchase two 8 inch Detector Water Meters from Hersey Products, Inc. without formal bid procedure because meters are available from one source.
(Memo with agenda. Resolution waiving formal bid procedure (by five affirmative votes) and authorizing purchase of two water meters. Estimated cost \$7,088.00. Funds budgeted in Account 438-512, Revolving Fund, not shown in budget).

ACTION: Res. 74-498 adopted waiving formal bid procedure and authorizing purchase. (Finance to handle)

HEARINGS

11. Continued hearing on appeal by Tanner & Peterson to Planning Commission denial of request for P-D zoning at the northeast corner of Oakdale and E. Orangeburg to permit construction of a shopping center and 123-unit one and two-story condominium project. 7:30 P.M.

ACTION: Res. 74-499 adopted (Dunlap/Elliott, unan.) denying appeal. (Clerk to handle)

12. Hearing, annexation of Carpenter-Woodland No. 1 Addition to Modesto Municipal Sewer District No. 1. 7:35 P.M.

ACTION: Res. 74-500 adopted (Elliott/Kullijian, unan.) annexing Carpenter-Woodland No. 1 Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

13. Hearing, annexation of McHenry-Rumble No. 3 Addition to Modesto Municipal Sewer District No. 1. 7:40 P.M.

ACTION: Res. 74-501 adopted (Kullijian/Simon, unan.) annexing McHenry-Rumble No. 3 Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

14. Continued hearing on appeal by Longs Drug Stores to denial by Planning Commission Chairman (3-3 vote) of request for P-D zoning to permit development at southwest corner of Oakdale Road and Orangeburg Ave. 7:45 P.M.

ACTION: Res. 74-502 adopted (Elliott/Dunlap, unan.) denying appeal. (Clerk to handle)

15. Matters for the good of the community. 7:50 P.M.
(These may be presented by interested persons in the audience)

ACTION: Members of the Forever Young Senior Citizens Club complained that nothing had been done on their request for space in the Senior Citizens Center. They were informed that a report on this subject would be on the Council agenda for July 8.

NEW BUSINESS

CONSENT

16. Consider approval of agreement between City of Modesto and Modesto Irrigation District for the City to occupy portions of M.I.D. Lateral No. 3 right of way for purposes of improvement of Briggsmore Avenue.

(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 74-503 adopted approving agreement. (Clerk to handle)

CONSENT

17. Consider authorizing City Manager to sign letter agreement with the Modesto Bee to print and publish the official advertising for the City for a one year period ending June 30, 1975.
(Memo with agenda; Resolution needed. Estimated cost \$10,000. Funds are budgeted)

ACTION: Res. 74-504 adopted approving letter agreement. (Clerk to handle)

CONSENT

18. Approval of right of way agreement between the City and Alice K. Hartlett.
(This is an acquisition of property needed for the widening of Coffee Road. \$444.00 represents the appraised value, less the cost of curbs, gutters and sidewalks which the City will install. Resolution approving agreement and accepting grant deed needed. Estimated cost \$444.00. Funds are budgeted)

ACTION: Res. 74-505 adopted approving agreement and accepting grant deed. (Clerk to handle)

19. Consideration of S.A.A.G. proposed bylaws amendment.
(Copies with agenda. Motion directing S.A.A.G. representatives needed)

ACTION: By motion (Simon/Dunlap, unan.) amendment offered by Oakdale supported.

CONSENT

20. New lease on parking lot at 9th and J (next to Lotus Restaurant).
(A new one-year lease has been worked out with the owner of this lot. The first \$1,000 in revenue from the lot will be withheld to cover the City's expenses in operating it. At present, only the first \$650 goes to the City for its expenses. Resolution approving new lease needed. No City cost)

ACTION: Res. 74-506 adopted approving new lease. (Clerk to handle)

CONSENT

21. Request by City Attorney to attend conference in Los Angeles on application of the Fair Labor Standards Act and Wage and Hour Law to local government employees.
(Memo with agenda. Motion approving request needed)

ACTION: By motion, request approved. (C/Atty to handle)

CONSENT

22. Request for authorization for City Manager to sign contract with Cooperative Personnel Services to perform a classification and salary survey as provided in the Memorandum of Understanding between the City and Modesto City Employees Association.
(Memo with agenda. Resolution approving contract and authorizing City Manager to sign needed. Estimated cost \$11,000, plus a maximum of an additional \$1,500 for appeal period. Funds to be requested later from Fund No. 101, Account #421, Salary Survey, to be budgeted in next fiscal year)

ACTION: Res. 74-507 adopted approving contract. (Personnel to handle)

CONSENT

23. Approval of right of way agreement between City and Johnnie Roberts. (This is for acquisition of property needed for the widening of Coffee Road. \$485.00 represents the appraised value, less the cost of curbs, gutters and sidewalks which the City will install. Resolution approving agreement and accepting grant deed needed. Funds budgeted in Account 6725-1-207, Coffee, Brighton to Briggsmore)

ACTION: Res. 74-508 adopted approving agreement and accepting grant deed. (Clerk to handle)

CONSENT

24. Consider approval of an amendment to an agreement with Empire Union School District concerning the acquisition of a park site in the East Orangeburg Avenue area. (Memo with agenda. Resolution approving amendment needed)

ACTION: Res. 74-509 adopted approving amendment to agreement. (Clerk to handle)

CONSENT

25. Consider acceptance of bill of sale for fence on public right of way. (Memo with agenda. Resolution accepting bill of sale needed)

ACTION: Res. 74-510 adopted accepting bill of sale from Robert M. Campbell for fence in right of way on Oxford Way. (P/W to handle)

CONSENT

26. Accept improvements in Coffee Villa Subdivision and authorize City Clerk to record notice of completion and release bonds upon expiration of statutory periods. (Coffee Villa Subdivision is located north of Rumble Road between Coffee Road and Oakdale Road. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 74-511 adopted accepting improvements in Coffee Villa. (Clerk to handle)

CONSENT

27. Consider approval of agreement for acquisition of property by the City of Modesto and the Sylvan Union School District from Stone Brothers and Associates for a school and park site on Mable Avenue east of Coffee Road. (Memo with agenda. Resolution approving agreement and resolution approving appropriation transfer needed)

ACTION: Res. 74-512 adopted approving agreement. (Clerk to handle)

Res. 74-513 adopted approving appropriation transfer of \$3,500 from Account 6622-41-321 to Account 6416-31-321. (Finance to handle)

CONSENT

28. Consider resolution establishing charges and fees for activities and services at the Modesto City-County Airport. (Memo with agenda. Resolution establishing fees and charges needed)

ACTION: Res. 74-514 adopted establishing fees and charges and rescinding Resolution No. 70-1174. (P/W to handle)

REPORTS

CONSENT

29. Report by City Attorney on League of California Cities meeting re Cable Television.
(Memo with agenda. Motion approving recommendations needed)

ACTION: By motion, recommendation that congressmen and senators be contacted to protect proposed FCC regulations approved.
(C/Mgr to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

30. Tentative subdivision map of Emerald Estates Subdivision.
(On June 18, 1974 the Planning Commission approved the tentative map of the Emerald Estates Subdivision and found that the subdivision, together with its design and improvements, is consistent with applicable general and specific plans of the City. The City Council is required to make the same findings. An environmental assessment of the subdivision has been made and a negative declaration has been filed. Resolution making findings needed)

ACTION: Res. 74-515 adopted making findings. (Clerk to handle)

CONSENT

31. Recommend amendments to Articles 2 and 5 of Title X of the Modesto Municipal Code - zoning regulations.
(On June 18, 1974 the Planning Commission adopted a resolution recommending to the Council amendments to Articles 2 and 5 of the Modesto Municipal Code - zoning regulations relating to lodgers and boarders in the R-1 zone; small animal hospitals and kennels. Resolution setting July 22 at 7:35 P.M. for public hearing needed)

ACTION: Res. 74-516 adopted setting hearing. (Clerk to handle)

CONSENT

32. Recommend amendment to Section 25-3-9 of the zoning map (Mid Coast Mortgage Company)
(On June 18, 1974 the Planning Commission adopted Resolution No. 74-104 recommending an amendment to Section 25-3-9 to reclassify from Exclusive Agricultural and Recreational Zone, A-R, to One-Family Residential Zone, R-1, and Two-Family Residential Zone, R-2, property located on the east side of Lincoln Avenue opposite Penny Lane. Resolution setting July 15, 1974 at 4:05 P.M. for public hearing needed)

ACTION: Res. 74-517 adopted setting hearing. (Clerk to handle)

CONSENT

33. Recommend amendment to Section 8-3-9 of the zoning map (Wilson Edsel Sales, Inc.)
(On June 18, 1974 the Planning Commission adopted Resolution No. 74-107 recommending an amendment to Section 8-3-9 of the zoning map to prezone to Highway Frontage Zone, H-1, Two-Family Residential Zone, R-2, and One-Family Residential Zone, R-1, property located on the west side of McHenry Avenue north of Union Avenue. Resolution setting July 15, 1974 at 4:10 P.M. for public hearing needed)

ACTION: Res. 74-518 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

34. Consider approval of a transfer of \$3,500 for runway repairs from the General Fund to the Airport Fund, and authorize the staff to proceed with applications for funds for a runway strengthening project.

(Memo with agenda. Resolution approving transfer and a motion directing staff to prepare application for federal funds needed)

ACTION: Res. 74-519 adopted approving transfer of \$3,500 from General Fund to Airport Fund. (Finance to handle)
By motion, staff directed to prepare application for federal funds. (P/W to handle)

MISCELLANEOUS

35. Legislation.

(a) AB 3135.

ACTION: By motion (Simon/Mensing, unan.) AB 3135 opposed.

(b) Other.

ACTION: By motion (Mensing/Simon, unan.) SB 2450 supported.
By motion (Kullijian/Elliott, unan.) amendment to AB 3549 supported; amendment to provide that cost of sewage or storm water system be borne by the property benefited.
(C/Mgr to handle)

36. Appointments.


NONE

37. Matters too late for the agenda.

ACTION: Res. 74-520 adopted (Elliott/Mensing, unan. - Newton, absent) approving appropriation transfer of \$2,000 from Account 60-324 to Account 6321-324. (Finance to handle)

Adjournment at 11:15 P.M.

ATTEST:


W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JULY 1, 1974 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Simon,
Mayor Davies
Absent: Newton

Pledge of allegiance to the Flag.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 6, 7, 8, 9, 15, 16,
Sub-item 7 of Item 26 dropped from 17, 18, 19, 20, 21, 22, 23, 24,
agenda 25, 26, 27, 27A, 29, 30, 31
Dunlap/Kullijian, unan. - Newton, absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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. Suggestion awards: \$50 to Alan Mayfield (Public Works)
\$50 to Bruce Wilson (Public Works)
\$30 to Jerry Mize (Public Works)
\$10 to Curtis Holley (Public Works)
(Mayor to present awards) Funds are budgeted)

ACTION: Mayor Davies presented the awards to Mr. Mayfield, Wilson, and Holley. As Mr. Mize was not present, his check will be mailed.

APPROVAL OF MINUTES

CONSENT

2. Minutes of June 24, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

3. Request of Joe Smoot-abandonment of roadway on property located at the southeast corner of Carpenter Road and Blue Gum Avenue.
(Resolution referring to Planning Commission for recommendation needed)

ACTION: Res. 74-521 adopted referring request to Planning Commission for recommendation. (Planning to handle)

4. Request on behalf of Calvary Lutheran Church for discussion of alley paving adjacent to the Church.

ACTION: By motion (Elliott/Dunlap, unan.) Public Works authorized to handle the alley paving in the same manner as all alleys under the present alley improvement program. (P/W to handle)

5. Complaint concerning activities at Community Service Center on June 17, 1974.

ACTION: Letter ordered filed.

BIDS

CONSENT

6. Consider approval of plans, specifications and call for bids for installation of waterlines in Barium Road, Sylvan Meadows East #1, and Wesson Estates #1.
(Suggested bid opening date: July 16, 1974 at 10:00 A.M.)

<u>Costs and Revenues</u>	<u>Barium Road</u>	<u>Sylvan Meadows E. #1</u>	<u>Wesson Est. #1</u>
Construction	\$6,416.43	\$44,957.13	\$30,167.46
Conn. Charges	1,727.60	16,600.00	9,300.00
Net Revenue	--	1,328.00	1,078.80

(Resolution needed. Estimated cost \$81,541.02 (\$60,306.25; Const. \$21,234.77). Funds are budgeted)

ACTION: Res. 74-522 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

7. Consider award of contract for improvement of Scenic Drive from Downey Avenue to County Hospital.
(F.A.U. Project No. J-6016-)001) Bids were opened May 21, 1974. The low bid submitted by George Reed, Inc. was 4.82% below the Engineer's Estimate and is considered to be acceptable. The Public Works Department recommends that the bid be awarded to them. Resolution awarding contract to George Reed, Inc. needed. Estimated cost \$233,870.
(Contract \$187,097.60. Engr. and Incid. \$36,772.40. Funds budgeted)

ACTION: Res. 74-523 adopted awarding contract to George Reed, Inc. (P/W to handle)

CONSENT

8. Consider acceptance of A & B Asphalt Sealing Co.'s contract for resurfacing tennis courts in Roosevelt Park.
(Original contract \$6,864.00. All work on this project has been completed to the satisfaction of the Parks and Recreation Department and the Public Works Department. It would be in order to accept the work as complete and file notice of completion. Resolution needed. Final cost \$6,864.00. Funds budgeted)

ACTION: Res. 74-524 adopted accepting contract. (Clerk to handle)

CONSENT

9. Approve plans, specifications and call for bids for asphalt concrete surfacing, various residential alleys. (Project No. 1)
(Bid opening July 16, 1974 at 10:10 A.M. This is a new program which provides for City crews to clean, grade and compact the alleys and the adjacent property owners paying the cost of asphalt concrete surfacing. Resolution approving plans, specifications and bid call needed. Estimated cost \$28,946 (Contract \$26,315; Engr. & Incid. \$2,631) Funds are budgeted)

ACTION: Res. 74-525 adopted approving plans and specifications and bid call. (Clerk to handle)

HEARINGS

10. Hearing on specific plan for Yosemite Boulevard between Riverside Drive and 884 feet west of McClure Road. 4:00 P.M.

ACTION: Ord. No. 1368-C.S. introduced (Simon/Dunlap, unan. - Newton, absent) establishing a precise alignment. (P/W to handle)

Res. 74-526 adopted (Simon/Dunlap, unan. - Newton, absent) directing Director of Planning to file Notice of Determination of Environmental Impact. (Planning to handle)

11. Hearing on request of Modesto City School District for unclassified use permit to allow a single mobile home on the Roosevelt School site. 4:05 P.M.

ACTION: Res. 74-527 adopted (Mensingher/Elliott, unan. - Newton, absent) granting unclassified use permit to expire in one year unless extended by Council. (Planning to handle)

12. Hearing on request of Modesto City School District for unclassified use permit to allow a single mobile home on the Downey High School site. 4:10 P.M.

ACTION: Res. 74-528 adopted (Mensingher/Elliott, unan. - Newton, absent) granting unclassified use permit to expire in one year unless extended by Council. (Planning to handle)

13. Hearing on amendment to Title X of Code regarding zoning regulations relating to City-County conversion table. 4:15 P.M.

ACTION: Ord. No. 1369-C.S. introduced (Kullijian/Dunlap, unan. - Newton, absent) adopting conversion table. (Clerk to handle)

Res. 74-529 adopted (Kullijian/Dunlap, unan. - Newton, absent) directing Director of Planning to file Notice of Determination of Environmental Impact. (Planning to handle)

14. Matters for the good of the community. 4:20 P.M.
(These may be presented by interested persons in the audience)

ACTION: Father Thomas Foster, St. Paul's Episcopal Church, apologized for being late for the invocation and then gave a short prayer.

NEW BUSINESS

CONSENT

15. Accept improvements in Greenfield Village No. 4 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods. (Greenfield Village No. 4 Subdivision is located at Kruger Drive east of Rose Avenue. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 74-530 adopted accepting improvements. (Clerk to handle)

CONSENT

16.a. Consider approval of the final map of Sylvan Meadows East No. 1 subdivision of the City of Modesto and authorize an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.

ACTION: Res. 74-531 adopted approving final map. (Clerk to handle)

b. Approve agreement for installation and maintenance of divider landscaping located at the intersection of the eastside of Coffee Road and Sylvan Meadows Drive. (The subdivision agreement has been signed and all fees paid. Sylvan Meadows East No. 1 Subdivision is located on the east side of Coffee Road north of Sylvan Avenue. It contains 24.259 acres. Two resolutions needed - one approving final map and one approving agreement)

ACTION: Res. 74-532 adopted approving agreement. (Clerk to handle)

CONSENT

17. Resolution approving issuance of bonds pursuant to certificate of issue of City Treasurer.
(M21-34A) Improvement District No. 21 - Sewer Service in various areas of the City. Adoption of resolution needed)

ACTION: Res. 1290-S.P. adopted approving issuance of bonds. (Finance to handle)

CONSENT

18. Approval of right of way agreement between the City and Mr. and Mrs. Dodd C. King.
(This is an acquisition of property needed for the widening of Coffee Road. \$326 represents the appraised value, less the cost of curbs, gutters and sidewalks which the City will install. Resolution approving agreement and accepting grant deed needed. Funds are budgeted)

ACTION: Res. 74-533 adopted approving agreement and accepting grant deed. (Clerk to handle)

CONSENT

19. Request approval for 13 additional slots to be funded through the CETA program for a total of 32 slots funded through PEP and CETA. (Memos attached. Resolution amending 1974-75 final budget for PEP and CETA programs and resolution lending \$9,000 from General Reserve to the PEP program)

ACTION: Res. 74-534 adopted amending 1974-75 budget for PEP Program.

Res. 74-535 adopted amending 1974-75 budget for CETA Program.

Res. 74-536 adopted lending \$9,000 from General Reserve to PEP Program. (Finance to handle)

CONSENT

20. Consider approving application submittal to State Water Resources Control Board for Step 1 Grant funds to cover preparation of project report, also authorization to negotiate with the firm of Jenks and Adamson for preparation of the project report.
(Memo with agenda. Resolution authorizing submission of application, and motion authorizing negotiations with Jenks and Adamson needed. Estimated cost \$90,000 (State and Federal grant \$78,750, City Share \$11,250). Funds aprtially budgted. Additional funds needed to be requested later)

ACTION: Res. 74-537 adopted approving submission of application. (P/W to handle)

By motion, negotiations authorized. (P/W to handle)

CONSENT

21. Consider agreement between Department of Transportation and City for right of way appraisal and acquisition for the Kansas-Needham connection project.
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 74-538 adopted approving agreement. (Clerk to handle)

CONSENT

22. Property transfer between City and James E. Price - Riverside Park.
(Memo with agenda. Resolution accepting grant deed from James E. Price and authorizing execution of grant deed to James E. Price, et al)

ACTION: Res. 74-539 adopted accepting grant deed and authorizing execution of grant deed to James E. Price, et al. (Clerk to handle)

CONSENT

23. Agreement and grant deed for right of way, Crows Landing Road, Tidewater Southern Railway.
(Memo with agenda. Resolution approving agreement and accepting grant deed needed. Estimated cost \$5,200; funds budgeted.

ACTION: Res. 74-540 adopted approving agreement and accepting grant deed. (Clerk to handle)

CONSENT

24. Consider requests for sewer service to the following properties:

1. 521 Greenwich Lane, on the south side of Greenwich Lane between Doncaster Lane and Lancashire Lane (Gordon & Betty Stevens)

ACTION: Res. 74-541 adopted approving agreement.

2. 416 Greenwich Lane, on the south side of Greenwich Lane between Doncaster Lane and Lancashire Lane. (Walter and Gloria Regan).

ACTION: Res. 74-542 adopted approving agreement.

3. 213 Glacier, on the north side of Glacier Ave. between Cascade Ave. and Crystal Ave. (Ella Silva aka Ella Heard)
(The above properties are not contiguous to the City but a main exists to serve them. The property owners have signed an agreement to annex. Three resolutions approving agreements needed)

ACTION: Res. 74-543 adopted approving agreement. (Clerk to handle)

CONSENT

25. Consider request by Marin Aviation for letter to Public Utilities Commission noting that there is no objection on the part of the City to the type of aircraft or frequency of operation proposed.
(Memo with agenda. Motion approving request needed)

ACTION: By motion, request approved. (P/W to handle)

CONSENT

26. Consider approval of the following Airport leases:
1. E & J Gallo; 2. Modesto Exec-Air; 3. Pacific Aircraft Service;
4. Gottschalk Flight Center; 5. Hendley's Aviation Service;
6. Silvaire Aviation.
(The leases have been rewritten to indicate the rate increases at the Modesto City-County Airport and they have been signed by the fixed base operators. 6 resolutions approving agreements needed)

ACTION: Res. 74-544 adopted approving lease agreement (E & J Gallo Winery)
Res. 74-545 adopted approving lease agreement (Exec-Air)
Res. 74-546 adopted approving lease agreement (Pacific Aircraft Serv)
Res. 74-547 adopted approving lease agreement (Gottschalk Flight Cent)
Res. 74-548 adopted approving lease agreement (Hendley's)
Res. 74-549 adopted approving lease agreement (Silvaire Aviation)
(Clerk to handle)

CONSENT

27. Resolution of intention to call special election for annexation of Sherwood Forest Addition to the City of Modesto.
(A petition containing 265 valid signatures and requesting that the Sherwood Forest Addition be annexed to the City has been filed with the City Clerk. This represents 42.4% of the registered voters. Resolution setting July 22, 1974 at 7:50 P.M. for hearing protests needed)

ACTION: Res. 74-550 adopted setting hearing. (Clerk to handle)

CONSENT

- 27A. Request by City Attorney to take July 5, 1974 as a vacation day.
(Motion approving needed)

ACTION: By motion, request approved.

REPORTS

28. Nazarene Church building.
(Report regarding Nazarene Church building adjacent to Old Lincoln School site recommending building be torn down.
(Memo with agenda. Motion directing staff, or if demolition is approved, resolution approving appropriation transfer of \$13,000 needed. Estimated cost \$11,000 - \$13,000).

ACTION: By motion (Kullijian/Elliott, unan.) staff directed to solicit bids for either the sale or demolition of the building.
(P & R to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

29. Recommend that the public alley located along the north side of M.I.D. Lateral No. 4 between McHenry Avenue and Magnolia Avenue not be closed but that related matters be considered further. Planning Commission Resolution 74-102 with agenda. Motion accepting recommendations of Commission needed)

ACTION: By motion, recommendations accepted. (Planning to handle)

CONSENT

30. Recommend amendment to Section 8-3-9 of the zoning map (Standiford, east of Columbine, A-R to R-1, Planning Commission Initiated)
(On June 18, 1974 the Planning Commission adopted Resolution No. 74-106 recommending an amendment to Section 8-3-9 of the zoning map to reclassify from Exclusive Agricultural and Recreational Zone, A-R, to One-Family Residential Zone, R-1, property located on the north side of Standiford Ave. east of Columbine Drive. Resolution setting July 22, 1974 at 7:40 P.M. for public hearing needed.

ACTION: Res. 74-551 adopted setting hearing. (Clerk to handle)

CONSENT

31. Recommend amendment to Section 8-3-9 of the zoning map - Planning Commission initiated.
(On June 18, 1974 the Planning Commission adopted Resolution No. 74-105 recommending an amendment to Section 8-3-9 of the zoning map to reclassify from Exclusive Agricultural and Recreational Zone, A-R, to One-Family Residential Zone, R-1, property located on the west side of McHenry Avenue and on both sides of Union Ave. Resolution setting July 22, 1974 at 7:45 P.M. for public hearing needed)

ACTION: Res. 74-552 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

32. Legislation.

ACTION: By motion (Kullijian/Simon, unan.) SB 2408 opposed. (C/Mgr to handle)

33. Appointments.

ACTION: Mayor Davies requested suggestions from the Council concerning possible appointees to the Human Rights Commission.

34. Matters too late for the agenda.

ACTION: Information concerning the proposed amendments to the General Plan was given to the Council. It was agreed that the material would be available for examination by the public.

Adjournment at 5:40 P.M.

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JULY 8, 1974 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Simon, Mayor Davies

Absent: None

(Councilmembers Newton and Simon arrived at 7:35 P.M.)
(Councilmember Newton was excused at 10:55 P.M.)

Pledge of allegiance to the Flag

Invocation by Reverend Wilson Yost, Trinity United Presbyterian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 10, 13, 14,
Dunlap/Mensinger, unan. - Newton and 15, 16, 17, 18, 19
Simon, absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of July 1, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

BIDS

CONSENT

2. Consider approval of specifications and authorize call for bids to furnish one new animal control body (Pound unit) and installing on city-furnished cab-chassis.
(Resolution setting July 23, 1974 at 2:00 P.M. for bid opening needed. Estimated cost \$4,157.00)

ACTION: Res. 74-553 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

3. Consider acceptance of Industrial Electrical Company's contract for street light modernization, Phase V, 1972-73.
(Original contract, \$174,336.00. All work has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and file notice of completion. Resolution accepting work needed. Final cost \$171,994.80. Funds are budgeted)

ACTION: Res. 74-554 adopted accepting contract. (Clerk to handle)

CONSENT

4. Consider acceptance of contract with Industrial Electrical Co. for replacement of street light circuit at Station #5.
(Original contract cost, \$8,970.00. All work has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and file a notice of completion. Final cost \$8,970.00. Funds are budgeted)

ACTION: Res. 74-555 adopted accepting contract. (Clerk to handle)

CONSENT

5. Consider waiver of formal bid procedure - repair of hi ranger.
(Memo with agenda. Resolution needed (minimum of five votes required).
Estimated cost \$5,703.03).

ACTION: Res. 74-556 adopted waiving formal bid procedure for repair of hi ranger. (P/W to handle)

HEARINGS

6. Hearing concerning annexation of North Tully No. 1 7:30 P.M.
Addition to City of Modesto.

ACTION: Res. 74-557 adopted (Elliott/Kullijian, unan. - Newton and Simon, absent) declaring no majority protest made.

Res. 74-558 adopted (Elliott/Kullijian, unan. - Newton and Simon, absent) setting November 5, 1974 for election. (Clerk to handle)

7. Hearing on Land Use and Circulation Elements of the 7:35 P.M.
Modesto Urban Area General Plan.

ACTION: By motion (Dunlap/Kullijian, unan. - Newton, absent) the following actions were taken:

1. General Plan approved as recommended by Planning Commission except for the following two changes:
 - (a) R-1 density increased from 3-7 dwelling units per acre to 3-10 dwelling units per acre.
 - (b) College West Neighborhood designated as agriculture instead of residential.
(These two changes referred to Planning Commission for report)
2. Planning Commission authorized to proceed with hearings on zoning inconsistencies.
3. Public Projects Committee Final Statement on Commercial Standards - Modesto Urban Area General Plan approved with the following additions to the recommendations for Planning Commission study and recommendation:
 - (a) Definition of strip zoning.
 - (b) Review of the timing of General Plan changes in relationship to zoning requests.
 - (c) Review of office zoning policy as stated in the General Plan.
(Planning to handle)

8. Hearings on requirement to construct curb, gutter and/or sidewalk at the following locations: 7:40 P.M.

- (a) Curb and sidewalk at 2301 Coffee Road, a portion of Block 12937. (Marion W. Clark)
- (b) Curb and sidewalk at 2305 Coffee Road, a portion of Block 12937. (Lillian Knutson)
- (c) Curb and sidewalk at 2317 Coffee Road, a portion of Block 12937. (Elsie May Peebler)

ACTION: Res. 74-559 adopted (Elliott/Kullijian, unan. - Newton, absent) ordering work done. (P/W to handle)

9. Matters for the good of the community. 7:45 P.M.
(These may be presented by interested people in the audience)

ACTION: NONE

ORDINANCES

CONSENT

10. Final adoption of the following:

(a) Ordinance 1368-C.S. - specific plan for portion of Yosemite Boulevard.

ACTION: By motion, Ord. No. 1368-C.S. adopted.

(b) Ordinance 1369-C.S. - City-County zoning conversion table.
(Motions approving needed)

ACTION: By motion, Ord. No. 1369-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

13. Modesto Junior Collete Work-Study program.
(To permit City of Modesto to use students from MJC under the federally funded work - Study Program. Resolution approving agreement needed)

ACTION: Res. 74-560 adopted approving agreement. (Clerk to handle)

CONSENT

14. Resolution revising Position Classification Plan and resolution amending salary schedules and establishing compensation for new classifications effective July 9, 1974.
(Memo of explanation, job specifications, and alphabetical listing attached. Adoption of two resolutions needed. Estimated cost \$6,936)

ACTION: Res. 74-561 adopted revising Position Classification Plan.

Res. 74-562 adopted amending salary schedules and establishing compensation for new classifications effective July 9, 1974.
(Personnel to handle)

CONSENT

15. Proposed policy for sanitary sewer and water service in unincorporated areas.
(Memos, proposed policy, and Planning Commission Resolution No. 74-54 with agenda. Resolution adopting policy needed)

ACTION: Res. 74-563 adopted adopting policy as amended. (P/W to handle)

CONSENT

16. Right of way, Coffee Road - Margie and Myron Williams.
(A grant deed and right of way agreement have been received for property needed to widen Coffee Road. The agreement provides for payment by the City of \$1,034, which is the amount of the appraisal less costs of curbs, gutters, and sidewalk to be installed by the City. Resolution accepting grant deed and approving agreement needed. Funds are budgeted.)

ACTION: Res. 74-564 adopted accepting grant deed and approving agreement.
(Clerk to handle)

CONSENT

17. Request Council approval of contract agreement between California Disaster Office and City of Modesto for use of OES Pumper Truck #115. (The contract negotiated with the State of California expires June 30, 1974, and a contract effective June 30, 1974 to June 30, 1976 has been presented to the City for approval. Resolution approving extension of agreement needed).

ACTION: Res. 74-565 adopted approving agreement. (Clerk to handle)

CONSENT

18. Consider request for sewer service to property at 3766 McHenry Ave. located on the southeast corner of McHenry Ave. and Union Ave. (Owners Charles V. and Barbara J. Pittman have signed an agreement to annex when requested to do so by the City. The property is contiguous to the City and a line exists to serve it. Resolution approving agreement needed)

ACTION: Res. 74-566 adopted approving agreement. (Clerk to handle)

CONSENT

19. Resolution certifying to the Board of Supervisors of the County of Stanislaus the amount of money needed by the City of Modesto for the payment of principal and interest on bonds of the Modesto Municipal Sewer District No. 1. (Memo with agenda. Resolution needed)

ACTION: Res. 74-567 adopted certifying to Board of Supervisors that \$232,000 will be needed for payment of principal and interest on bonds of Modesto Municipal Sewer District No. 1. (Clerk to handle)

REPORTS

20. Report on Senior Citizens Center. (Report on Senior Citizens Center regarding present uses of the Senior Citizens Center and the request of the Forever Young Senior Citizens Club to use the Center. Motion directing staff needed)

ACTION: By motion (Kullijian/Mensing, unan.) approval given to plan to permit group to use Community Service Center at same rent as at Senior Citizens Center. (P & R to handle)

21. Report by City Attorney on municipal election dates. (Memo with agenda. Motion directing staff needed)

ACTION: By motion (Mensing/Elliott, unan.) staff directed to prepare documents for Charter Amendment election to provide for Municipal Election on same date as school district elections. (C/Atty to handle)

MISCELLANEOUS

22. Legislation.

ACTION: NONE

23. Appointments.

- (a) Appointment of a member of the Youth Commission to the Human Rights Commission.

ACTION: Res. 74-568 adopted (Simon/Elliott, unan. - Newton, absent) appointing Rock Griffin as a representative of the Youth Commission on the Human Rights Commission for a term ending March 1, 1975. (Clerk to handle)

- (b) Other appointments.

ACTION: NONE

24. Matters too late for the agenda.

ACTION: By motion, (Kullijian/Elliott, unan. - Newton, absent) authorization given to joining in action in U.S. Supreme Court concerning the Fair Labor Standards Act. (C/Atty to handle)

Res. 74-569 adopted (Kullijian/Elliott, unan. - Newton, absent) approving appropriation transfer of \$200 from Account 60-101 to Account 235-13-101. (Finance to handle)

Adjournment at 12:05 A.M.

ATTEST:


W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JULY 15, 1974 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Simon, Mayer Davies
Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8,
Dunlap/Mensinger, unan. 9, 13, 14, 15, 16, 18, 19, 20,
21, 22, 24

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of July 8, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request of Downtown Improvement District for permission to hold Sidewalk Sale July 18, 19 and 20, 1974.
(Resolution granting request needed)

ACTION: Res. 74-570 adopted granting request. (Clerk to handle)

CONSENT

3. Request for payment of \$1,000 budgeted for Fourth of July celebration.
(Motion authorizing payment needed)

ACTION: By motion, payment authorized. (Finance to handle)

BIDS

CONSENT

4. Consider authorizing staff to purchase Micro-Aid, a plant growth regulator for use at the oxidation ponds.
(Memo with agenda. Resolution authorizing staff to purchase Micro-Aid digestion activator, and waiving formal bid procedure. (Five affirmative votes required). Estimated cost \$45,000. Funds are budgeted.)

ACTION: Res. 74-571 adopted waiving formal bid procedure and authorizing purchase of Micro-Aid. (P/W to handle)

CONSENT

5. Approve plans and specifications and call for bids for improvements on Sylvan Avenue at the Sylvan Club.
(Bid opening July 30, 1974 at 10:00 A.M. This project was required as a condition of the right of way agreement with the Sylvan Club for right of way on McHenry Avenue and Sylvan Avenue. Resolution approving plans, specifications and call for bids needed. Estimated cost \$9,023 (Contract \$8,057; Engr. \$966). Funds are budgeted)

ACTION: Res. 74-572 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

6. Consider award of contract for construction of curb and gutter on Neece Drive.
(Bids were opened July 9, 1974. The low bid submitted by Morrow and Waggoner, Inc., was 17% below the Engineer's Estimate and is considered acceptable. The Public Works Department recommends that the contract be awarded to low bidder. Resolution awarding contract needed, and resolution approving appropriation transfer of \$883 needed. Estimated cost \$5,809.35; Engr. \$700). Funds are partially budgeted)

ACTION: Res. 74-573 adopted awarding contract to Morrow & Waggoner, Inc. (P/W to handle)

Res. 74-574 adopted approving appropriation transfer of \$883 from Account 6307-31-321 to Account 8423-31-321. (Finance to handle)

CONSENT

7. Consider award of contract to Bill Mineni for construction of Addition to Woodland Avenue Pump Station.
(Bids were opened July 9, 1974. The low bid submitted by Bill Mineni, which is 1% under the estimate, is considered acceptable. It is recommended that the contract be awarded to him. Resolution needed. Estimated cost \$18,878. Funds are budgeted)

ACTION: Res. 74-575 adopted awarding contract to William M. Mineni. (P/W to handle)

CONSENT

8. Consider awarding contract to William Mineni for the construction of Moose Park Day Camp.
(Memo with agenda. Resolution awarding contract needed. Estimated cost \$33,614; (\$32,114, contract; \$1,500 Engr.) Funds are budgeted.

ACTION: Res. 74-576 adopted awarding contract to William M. Mineni. (P/W to handle)

CONSENT

9. Consider acceptance of Reed & Graham's contract for placing a slurry seal on the utility runway.
(Original contract \$14,866.74. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file a notice of completion. Resolution accepting work needed. Final cost, \$14,926.06. Funds are budgeted)

ACTION: Res. 74-577 adopted accepting contract. (Clerk to handle)

HEARINGS

10. Hearing on amendment to Section 25-3-9 of zoning map to rezone from A-R to R-1 and R-2, property located on the east side of Lincoln opposite Penny Lane. (Mid Coast Mortgage Co.) 4:05 P.M.

ACTION: Ord. No. 1370-C.S. adopted (Kullijian/Elliott, unan.) (as emergency ordinance) rezoning area. (Clerk to handle)

Ord. No. 1371-C.S. introduced (Kullijian/Elliott, unan.) (regular ordinance) rezoning area. (Clerk to handle)

Res. 74-578 adopted (Kullijian/Elliott, unan.) directing Director of Planning to file Environmental Impact Determination Notice. (Planning to handle)

11. Hearing on amendment to Section 8-3-9 of zoning map to prezone to H-1, R-2 and R-1, property located on the west side of McHenry north of Union Avenue. (Wilson Edsel Sales) 4:10 P.M.

ACTION: Ord. No. 1372-C.S. introduced (Kullijian/Elliott, unan.) prezone area. (Clerk to handle)

Res. 74-579 adopted (Kullijian/Elliott, unan.) directing Director of Planning to file Environmental Impact Determination Notice. (Planning to handle)

12. Matters for the good of the community. 4:15 P.M.
(These may be presented by interested persons in the audience)

ACTION: Helen Marr, potential member, and Rock Griffin, chairman of the Modesto Youth Commission were welcomed to the meeting by Mayor Davies. He then introduced Mrs. Kirk who is a potential member of the Waterford City Council. (Note: This appointment has now been made)

NEW BUSINESS

CONSENT

13. Coffee Road right of way - Robert and Bonnie Allison.
(A grant deed and right of way agreement have been received for property needed to widen Coffee Road. The agreement provides for payment by the City of \$890, which is the amount of the appraisal less cost of curbs, gutters and sidewalk to be installed by the City. Resolution accepting grant deed and approving agreement needed. Funds are budgeted)

ACTION: Res. 74-580 adopted accepting grant deed and approving agreement. (Clerk to handle)

CONSENT

14. Coffee Road right of way - Harry Byron Heiny.
(A grant deed and right of way agreement have been received for property at 1318 Coffee Road, needed to widen Coffee Road, from Mr. Heiny. The agreement provides for payment by the City of \$990 which is the amount of the appraisal less costs of curbs, gutters, and sidewalk to be installed by the City. Resolution accepting grant deed and approving agreement needed. Estimated cost \$990. Funds are budgeted)

ACTION: Res. 74-581 adopted accepting grant deed and approving agreement. (Clerk to handle)

CONSENT

15. Request for variance to sidewalk standards - office building for C. Ernest Rushing, 14th and K Streets, Modesto, California. (Memo with agenda. Resolution approving request for variance needed)

ACTION: Res. 74-582 adopted granting variance to permit exposed aggregate sidewalk. (P/W to handle)

CONSENT

16. Purchase of automotive repair shop - Herron's garage. (Memo with agenda. Motion authorizing staff to negotiate for acquisition needed)

ACTION: By motion, staff authorized to negotiate for acquisition of property, (C/Mgr to handle)

17. Consider approval of final map of Lincoln Square No. 2 Subdivision of the City of Modesto and authorize an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. (The subdivision agreement has been signed and all fees paid. Lincoln Square No. 2 Subdivision is located on the east side of Lincoln Avenue north of Yosemite Boulevard. It contains 13.29 acres. Resolution approving final map needed)

ACTION: Res. 74-583 adopted (Dunlap/Kullijian, unan.) approving final map. (Clerk to handle)

CONSENT

18. Consider request for sewer service to the following properties:

(a) 508 Greenwich Lane (John E & Marion R. Shores) on the south side of Greenwich Lane between Doncaster Lane & Lancashire Lane.

ACTION: Res. 74-584 adopted approving agreement. (Clerk to handle)

(b) 601 Robin Hood Drive (Hattie C. Pigrowski) on the north side of Robin Hood Drive between Yorkshire Lane and Tuxford Lane.

ACTION: Res. 74-585 adopted approving agreement. (Clerk to handle)

(c) 605 Robin Hood Drive (John H. and Rita R. Bagley) on the north-east corner of Robin Hood Drive and Tuxford Lane.

ACTION: Res. 74-586 adopted approving agreement. (Clerk to handle)

(d) 516 Greenwich Lane (Ursel Lester, aka Ursel Foster) on the south side of Greenwich Lane between Doncaster Lane and Lancashire Lane.

(The property owners have signed agreements to annex when requested to do so by the City. Sewer lines exist to serve these properties. Resolutions approving agreements needed)

ACTION: Res. 74-587 adopted approving agreement. (Clerk to handle)

CONSENT

19. Consider changing "Personnel Officer" title to "Assistant to the City Manager/Personnel Officer." (Memo with agenda. Resolution changing classification title needed)

ACTION: Res. 74-588 adopted amending Position Classification Plan.

Res. 74-589 adopted amending salary resolution to reflect change in title. (Personnel to handle)

CONSENT

20. Approve filing the final map of McHenry Vista, a resubdivision of Lot 1-8, Block 6985 of McHenry Highlands Subdivision.
(A subdivision agreement is not required since all improvements are existing. All required fees have been paid. McHenry Vista is located on the southeast corner of MacDougal Street and Kavanaugh Avenue. It contains 2.415 acres. Resolution approving final map needed)

ACTION: Res. 74-590 adopted approving final map. (Clerk to handle)

CONSENT

21. Consider approval of final map of Romano Estates 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.
(The subdivision agreement has been signed and all fees paid. Romano Estates No. 1 Subdivision is located on the east side of Sonoma Avenue and south of East Orangeburg Avenue. It contains 10.411 acres. Resolution approving final map needed)

ACTION: Res. 74-591 adopted approving final map. (Clerk to handle)

CONSENT

22. Consider approval of lease agreement with Mr. and Mrs. Darold Jolliff, dba Hawke Flying Services, at the Modesto City-County Airport.
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 74-592 adopted approving lease agreement. (Clerk to handle)

23. Offer of McHenry Museum Society to restore painting.
(The McHenry Museum Society has offered to pay \$3,000 to restore the painting of "Chief Stanislaus." Motion accepting the offer and authorizing the work and resolution approving appropriation transfer needed)

ACTION: By motion (Simon/Dunlap, unan.) offer accepted. (P & R to handle)

Res. 74-593 adopted (Simon/Dunlap, unan.) approving appropriation transfer of \$3,000 from Account 60-101 to Account 235-29-101.
(Finance to handle)

REPORTS

CONSENT

24. Quarterly report of Greater Modesto Chamber of Commerce.
(Motion accepting needed)

ACTION: By motion, report accepted.

25. Report on Headrest Ombudsman Program.
(Report with agenda. Motion instructing staff needed)

ACTION: By motion (Simon/Newton, unan.) approval given to plan whereby City representatives are to meet with the agencies that would normally be involved in the Ombudsman Program, including the school board, to have a discussion about the problems of the youth so that a conclusion can be reached as to whether the City should fund the program or not, or whether it belongs with Head Rest. Meeting to be attended by members of the City Council, School Board, Board of Supervisors, Mental Health, Head Rest, Youth representatives and anyone else who might be interested in this matter, including City staff members. (C/Mgr to handle)
Mayor Davies then appointed Councilmembers Newton and Simon to represent the City Council with Simon to act as chairman of the City delegation.

MISCELLANEOUS

26. Legislation.

NONE

27. Appointments.

NONE

28. Matters too late for the agenda.

NONE

29. The Council retired to Executive session at 5:20 p.m. to discuss pending litigation regarding acquisition of Arata-Griffin-Podesto property at 10th and H Streets. It was announced that the Council would not return to open meeting.

Adjournment at 5:45 p.m. to 6:30 p.m. at the Green Tree Restaurant for the purpose of holding a discussion with the Planning Commission.

ATTEST:



W. T. CHYNOWETH, City Clerk

Modesto City Council
Adjourned Regular Meeting
July 15, 1974
6:30 P.M.


The Council of the City of Modesto met in the Green Tree Restaurant, 1312 McHenry Avenue, Modesto, California at 6:30 P.M. pursuant to adjournment and there were:

PRESENT: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger,
Newton, Mayor Davies
ABSENT: Councilmember: Simon

The members of the Council and the Planning Commission, together with staff held a discussion concerning the operation of the Planning Commission.

The meeting was adjourned at 9:45 P.M.

ATTEST:



W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JULY 22, 1974 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Simon, Mayor Davies

Absent: None
(Councilmember Newton arrived at 7:45 P.M.)
(Mayor Davies was excused at 10:10 P.M.)

Pledge of allegiance to the Flag

Invocation by Reverend Joe Wright, Calvary Assembly of God

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 5, 6, 7, 8, 15,
Item 31 removed from consent 17, 18, 20, 21, 22, 23, 24, 26,
Dunlap/Simon, unan. - Newton, absent 28, 29, 30

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of July 15, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request of Modesto Symphony Orchestra, Inc. for:
(a) Payment of \$2,500 budgeted for 1974-75 season.
(Motion authorizing payment needed)

ACTION: By motion, payment authorized. (Finance to handle)

- (b) Inclusion of \$2,500 in 1975-76 budget.
(Motion referring to proper budget session needed)

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

CONSENT

3. Request of Senior Opportunity Service Program for addition of Mainstream and Older Workers Program to those now permitted.
(Staff recommends approval of request. Motion authorizing staff to allow additional program needed)

ACTION: By motion, staff authorized to allow additional program.
(C/Mgr to handle)

4. Letter from Modesto City Schools concerning pool at Sonoma School.

ACTION: Res. 74-594 adopted (Elliott/Kullijian, unan.) approving agreement with Modesto City Schools to provide that Modesto will pay 25% of costs not to exceed \$45,000. (Clerk to handle)

BIDS

CONSENT

5. Consider approval of plans and specifications and call for bids for installation of waterlines in Romano Estates No. 1.
(Suggested bid opening date August 6, 1974 at 10:00 A.M. Costs and Charges: Construction, \$19,389.17; Connection Charges, \$6,000; Net Revenue, \$696.00. Resolution needed. Estimated cost \$19,389.17 (\$12,767.50; \$6,621.67, Matl). Funds are budgeted)

ACTION: Res. 74-595 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

6. Consider award of contract for installation of waterlines in Barium Road, Sylvan Meadows East No. 1, and Wesson Estates No. 1.
(Bids were opened July 16, 1974. The low bid submitted by Joe Martin, which is 9.5% under the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to Joe Martin. Resolution needed. Estimated cost \$54,397. Funds are budgeted)

ACTION: Res. 74-596 adopted awarding contract to Joe Martin. (P/W to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for planting and irrigation at Downey Park Annex.
(Suggested bid opening date August 13, 1974 at 10:00 A.M. This project is proposed as part of the Downey Park Improvements. Resolution needed. Estimated cost \$34,500. (\$33,000 Const.; \$1,500 Insp.)

ACTION: Res. 74-597 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

8. Consider approval of specifications and authorize call for bids to be opened August 13, 1974 at 2:00 P.M. for furnishing two (2) 16 inch trailer-mounted brush chippers.
(Resolution needed. Estimated cost \$14,250. Funds are budgeted)

ACTION: Res. 74-598 adopted approving specifications and bid call. (Clerk to handle)

HEARINGS

9. Ten hearings on alley improvements. 7:30 P.M.

(a) Block 586

ACTION: Res. 74-599 adopted (Dunlap/Newton, unan.) ordering work done.

(b) Block 717A

ACTION: Res. 74-600 adopted (Dunlap/Newton, unan.) ordering work done.

(c) Block 3091 (Petition against paving with agenda)

ACTION: Res. 74-601 adopted (Dunlap/Newton, unan.) ordering work done.

(d) Block 5321

ACTION: Res. 74-602 adopted (Dunlap/Newton, unan.) ordering work done.

(e) Block 6001

ACTION: Res. 74-603 adopted (Dunlap/Newton, unan.) ordering work done.

9. Ten hearings on alley improvements. (continued) 7:30 P.M.
(f) Block 6117
ACTION: Res. 74-604 adopted (Dunlap/Newton, unan.) ordering work done.
(g) Block 6127
ACTION: Res. 74-605 adopted (Dunlap/Newton, unan.) ordering work done.
(h) Block 6625
ACTION: Res. 74-606 adopted (Dunlap/Newton, unan.) ordering work done.
(i) Block 6717
ACTION: Res. 74-607 adopted (Dunlap/Newton, unan.) ordering work done.
(j) Block 6727
ACTION: Res. 74-608 adopted (Dunlap/Newton, unan.) ordering work done.
(P/W to handle)
10. Hearing on amendments to Title X concerning lodgers and boarders in the R-1 zone and small animal hospitals and kennels. 7:35 P.M.
ACTION: Ord. No. 1373-C.S. introduced (Simon/Elliott, unan.) amending Title X. (Clerk to handle)
Res. 74-609 adopted (Simon/Elliott, unan.) directing Director of Planning to file Notice re Environmental Impact. (Planning to handle)
11. Hearing on amendment to Section 8-3-9 of zoning map to reclassify from A-R to R-1, property located on the north side of Standiford east of Columbine. 7:40 P.M.
ACTION: Ord. No. 1374-C.S. introduced (Kullijian/Elliott, unan.) amending Section 8-3-9 of zoning map. (Clerk to handle)
Res. 74-610 adopted (Kullijian/Elliott, unan.) directing Director of Planning to file Notice re Environmental Impact. (Planning to handle)
12. Hearing on amendment to Section 8-3-9 of zoning map to reclassify from A-R to R-1, property located on the west side of McHenry and on both sides of Union. 7:45 P.M.
ACTION: Ord. No. 1375-C.S. introduced (Kullijian/Elliott, unan.) amending Section 8-3-9 of zoning map. (Clerk to handle)
Res. 74-611 adopted (Kullijian/Elliott, unan.) directing Director of Planning to file Notice re Environmental Impact. (Planning to handle)
13. Hearing concerning annexation of Sherwood Forest Addition to City of Modesto. 7:50 P.M.
ACTION: By motion (Simon/Dunlap, unan.) hearing continued to August 5, 1974 at 4:00 P.M. (Clerk to handle)

14. Matters for the good of the community. 7:55 P.M.
(These may be presented by interested citizens in the audience.)

ACTION: Res. 74-612 adopted (Dunlap/Simon, unan.) determining that Calvary Temple Assembly of God does not need a Use Permit for a Tent Crusade at northwest corner of Coffee and Briggsmore subject to conditions recommended by staff.

By motion (Dunlap/Simon, unan.) church requested to not use airplane with sound amplification equipment for advertising.

Bob Schmidt, member of the Farm-City Advisory Committee was introduced.

ORDINANCES

CONSENT

15. Final adoption of the following:

(a) Ordinance No. 1371-C.S. - amendment to Section 25-3-9 of zoning map.

ACTION: By motion, Ord. No. 1371-C.S. adopted.

(b) Ordinance No. 1372-C.S. - amendment to Section 8-3-9 of zoning map.
(Two motions adopting needed)

ACTION: By motion, Ord. No. 1372-C.S. adopted. (Clerk to handle)

16. Ordinance adding Article 9 to Chapter 1 of Title IV of the Modesto Municipal code relating to regulation of drive-in theaters. (Memo and copies of ordinance with agenda). Introduction of ordinance needed)

ACTION: Ord. 1376-C.S. introduced (Elliott/Dunlap, unan.). (Clerk to handle)

NEW BUSINESS

CONSENT

17. Resolution approving certificate of City Treasurer and authorizing facsimile signature and seal on bonds and facsimile signature on coupons. (M20-35)
(Street lighting in various areas of the City. Adoption of resolution needed)

ACTION: Res. 1291-S.P. adopted approving certificate and authorizing facsimile signature and seal. (Finance to handle)

CONSENT

18. Consider request for sewer service to property at 509 Robin Hood Drive, located on the north side of Robin Hood Drive between Yorkshire Lane and Tuxford Avenue.
(Property owners George D. and Dolla Karabinis have signed an agreement to annex when requested to do so by City. The property is not contiguous to the City, however, a sewer line exists to serve it. Resolution approving agreement needed)

ACTION: Res. 74-613 adopted approving agreement. (Clerk to handle)

19. Consider fire apparatus color.
(Memo with agenda. Motion instructing staff needed)

ACTION: By motion (Mensingher/Elliott, unan.) approving lime-yellow for fire trucks. (Fire to handle)

CONSENT

20. Collection of unpaid utility users tax: (a) G. W. Everett; (b) F. E. Thomas; (c) Jerry D. Hunt.
(Memo with agenda. Resolution confirming notice of assessment and setting hearing on August 12, 1974 at 7:35 P.M. needed)

ACTION: Res. 74-614 adopted confirming notice of assessment and setting hearing, G. W. Everett.
Res. 74-614A adopted confirming notice of assessment and setting hearing, F. E. Thomas.
Res. 74-614B adopted confirming notice of assessment and setting hearing, Jerry D. Hunt. (Finance to handle)

CONSENT

21. Right of way, Needham Street - Morrison Estate.
(Memo with agenda. Resolution accepting grant deed, quitclaim deed, and approving agreement. Funds are budgeted. Estimated cost \$20,892)

ACTION: Res. 74-615 adopted accepting grant deed and approving right of way agreement. (Clerk to handle)

Res. 74-615A accepting quitclaim deed. (Clerk to handle)

CONSENT

22. Request by Mr. and Mrs. John L. Thompson, 3051 Northampton Lane, for an encroachment permit to allow the construction of a fence on the public right of way adjacent to the back of an existing sidewalk.
(Resolution setting informal public hearing for August 5 at 4:05 P.M. needed)

ACTION: Res. 74-616 adopted setting hearing. (Clerk to handle)

CONSENT

23. Accept improvements in Granada Park No. 4 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods.
(Granada Park No. 4 Subdivision is located on the west side of Capistrano Avenue north of Haddon Avenue. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 74-617 adopted accepting improvements. (Clerk to handle)

CONSENT

24. Request by City Attorney for Vacation for August 8, 9, 15, 16, 22, 23, 29, 30, and September 3, 4, 5, and 6, 1974.
(Motion authorizing needed)

ACTION: By motion, request granted.

25. Letter from Douglas R. Cupples, Sr., Community Organizer, March of Dimes, (The National Foundation - March of Dimes, Sierra Joaquin) 1700 McHenry Village #66C.
(Letter from March of Dimes requesting use of Mancini Bowl on August 23 and 25, 1974 and Graceada Park on August 23, 24, 25, 1974. Staff recommends approval for Mancini Bowl and Graceada Park uses on August 23, and August 25, 1974, except that no selling be permitted. Motion directing staff needed)

ACTION: By motion (Simon/Dunlap, unan.) staff recommendation approved.
(P & R to handle)

REPORTS

CONSENT

26. Report on S.A.A.G. overall work program contract elements.
(Report with agenda. Motion approving recommendation needed)

ACTION: By motion, staff authorized to inform SAAG that Modesto is willing to provide contract service for the air transport portion of Transport Plan but cannot handle the transit portion and City Manager authorized to sign letter agreement with SAAG covering service to be provided by City and reimbursement for staff time involved. (C/Mgr to handle)

27. Report on Fire Training Center and Fire Station #4.
(Report with agenda. Motion directing staff needed)

ACTION: By motion (Elliott/Simon, unan.) staff directed to proceed as recommended. (Fire to handle)

CONSENT

28. Report on proposed increase in parking fees on validated lots.
(Memos and letters from D.I.D. and D.M.A. with agenda. Motion approving recommendation needed)

ACTION: By motion, staff directed to not increase fees at this time but to undertake a study of downtown parking following adoption of the downtown plan. (P & T to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

29. Division of existing buildings by parcel map or subdivision map.
(Map with agenda. Referral, by motion, to the Planning Commission for amendment to subdivision regulations needed)

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

CONSENT

30. Recommend the granting of an unclassified use permit to the First Church of the Nazarene to utilize existing facilities for a private school.
(On July 16, 1974 by Resolution No. 74-127 the Planning Commission recommended to the Council the granting of an unclassified use permit to the First Church of the Nazarene to utilize its existing facilities for a private school, Grades K-8, to serve an ultimate maximum enrollment of 250 students, property located between Briggsmore Avenue and St. Paul's Way east of Oakdale Road. Resolution setting August 5, 1974 at 4:10 P.M. for public hearing needed)

ACTION: Res. 74-618 adopted setting hearing. (Clerk to handle)

31. Recommend amendments to the proposed revised (1973) Land Use and Circulation Elements of the Modesto Urban Area General Plan.
(On July 16, 1974 the Planning Commission, by Resolution 74-120, recommended to the City Council three amendments to the proposed revised (1973) Land Use and Circulation elements of the Modesto Urban Area General Plan. Resolution adopting the Land Use and Circulation Elements of the Modesto Urban Area General Plan needed)

ACTION: By motion (Dunlap/Mensing, unan.) further consideration continued to August 5, 1974. (Clerk to handle)

MISCELLANEOUS

32. Legislation.

NONE

33. Appointments.

NONE

34. Matters too late for the agenda.

ACTION: Res. 74-619 adopted (Elliott/Kullijian, unan. - Mayor Davies, absent) accepting grant deed (Imperial Motel property at Needham and Nellie).

Res. 74-620 adopted (Elliott/Kullijian, unan. - Mayor Davies, absent) approving right of way agreement and accepting quitclaim deed for same property. (Clerk to handle)

Following a discussion of a rock concert held at Mervyn's McHenry Mall, it was agreed that additional equipment was needed to measure sound. By motion (Kullijian/Dunlap, unan.) staff authorized to acquire the accessories for the decibelmeter. (P/W to handle)

Adjournment at 10:45 P.M.

ATTEST:


W. T. CHYNOWETH, City Clerk

Modesto City Council
Special Meeting
August 1, 1974

The Council of the City of Modesto met in Special Meeting at 12:00 o'clock noon this date in the Crown Room, Hotel Covell, 11th and J Streets, Modesto, California, and there were:

PRESENT: Councilmembers Dunlap, Elliott, Mensinger, Mayor Davies
ABSENT: Councilmembers Kullijian, Newton and Simon

The Council and staff members discussed matters of mutual interest with Assemblyman Thurman.

The meeting adjourned at 1:30 P.M.

ATTEST:



W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, AUGUST 5, 1974 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Mayor Davies
Absent: Simon

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 9, 10,
Item 8 dropped from agenda 11, 12, 13, 14, 19, 21, 22, 23,
Items 20, 28 & 31 removed from Consent 24, 25, 26, 27, 29, 34, 34a, 35,
Dunlap/Elliott, unan. - Simon, absent 36, 37, 38

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of July 22, 1974,
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request of Charles M. Gargotto that name of Dooley Avenue be changed to Marymar Drive.
(Motion referring to Planning Commission needed)

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

BIDS

CONSENT

3. Consider approval of plans and specifications and call for bids for replacement of street light circuit at station No. 7.
(Suggested bid opening date August 20, 1974 at 10:00 A.M. This project will change the street light circuits coming from station #7 to 6.6 amp circuits and provide a new regulator structure. Resolution needed. Estimated cost: \$10,500 (\$10,000 Const. \$500.00 Eng & Insp.); funds budgeted in Account No. 6637-41-321, Replace Street Light Controls.

ACTION: Res. 74-621 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

4. Consider declaring Lakeside Truck Body Co. of California the lowest responsible bidder for an animal control body with stainless steel interior and authorize purchase.
(Memo with agenda. Resolution of award and resolution approving appropriation transfer of \$1,960 needed. Estimated cost: \$4,606.00; funds budgeted in Account No. 5453-48-512, Service Division Capital Fund.

ACTION: Res. 74-622 adopted awarding contract to Lakeside Truck Body Co.
Res. 74-623 adopted approving appropriation transfer of \$1,960 from Account 60-512 to Account 5453-48-512. (Finance to handle)

CONSENT

5. Consider award of contract for asphalt concrete surfacing of various residential alleys - Project No. 1. (Bids were opened July 16, 1974. The low bid submitted by The Flintkote Company, which is 7% under the Engineer's Estimate is considered acceptable. It is therefore recommended that the contract be awarded to them. Resolution awarding bid needed. Estimated cost: \$24,586.10; funds budgeted in Account No. 5301-41-321, Alley Improvement.

ACTION: Res. 74-624 adopted awarding contract to The Flintkote Co. (P/W to handle)

CONSENT

6. Approve plans and specifications and call for bids for Asphalt Concrete Surfacing Various Residential Alleys, Project No. 2. (Bid opening date: August 20, 1974 at 10:10 A.M. This is the second project of a new program which provides for City crews to clean, grade and compact the alleys and the adjacent property owners paying the cost of the Asphalt Concrete Surfacing of the alleys. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$31,119 (Contract \$28,290 - Engr. \$2,829); funds budgeted in Account No. 5301-41-321, Alley Improvements 1974-75 Budget)

ACTION: Res. 74-625 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

7. Consider acceptance of Flintkote Co.'s contract for Improvement of Paradise Avenue-Franklin to First. Original Contract amount: \$159,945.90. (All work on this project has been completed to the satisfaction of the State Department of Transportation and the City Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Resolution accepting the work as complete needed. Final Cost: Contract \$159,116.85; funds budgeted in Account No. 6648-2-207, Paradise - Franklin to First.

ACTION: Res. 74-626 adopted accepting contract. (Clerk to handle)

8. Consider acceptance of Teichert Construction Co.'s contract for Improvement of Morris-Virginia at M.I.D. Lateral #4. Original Contract: \$86,635.00. (All work on this project has been completed to the satisfaction of the State Department of Transportation and the City 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: Contract \$89,251.82; funds budgeted in Account No. 6695-2-207, Virginia-Morris Siphon.

DROPPED FROM AGENDA

CONSENT

9. Consider approval of specifications and authorize call for bids to be opened August 20, 1974 at 2:00 P.M. for furnishing one new turf sweeper. (Resolution approving specs and bid call needed. Estimated cost: \$4,803.00; funds budgeted in Account No. 5423-48-512, Service Division Working Capital Fund.

ACTION: Res. 74-627 adopted approving specifications and bid call. (Clerk to handle)

CONSENT

10. Consider approval of specifications and authorize call for bids to be opened August 20, 1974 at 2:15 P.M. for furnishing one refuse packer truck for Parks' use.
(Resolution approving specs and bid call needed. Estimated cost: \$6,650.00; funds budgeted in Account No. 5444-48-512, p. 148, Service Division - Capital Outlay.)

ACTION: Res. 74-628 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

11. Approve plans and specifications and call for bids for the Improvement of Coffee Road from Brighton Ave. to Briggsmore Ave.
(Bid opening: August 27, 1974 at 10:10 A.M. Coffee Road is part of the City's major street system and is being widened to four traffic lanes to accomodate the traffic load. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$128,723 (Contract \$110,969 - Engr & Contg. \$17,754); funds budgeted in Account No. 6725-1-207, Coffee-Brighton to Briggsmore)

ACTION: Res. 74-629 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

12. Approve plans and specifications and call for bids for the Improvement of Needham Street from Hackberry Ave. to Nellie Ave.
(Bid opening: August 27, 1974 at 10:00 A.M. Needham Street is part of the City's major street system and is being widened to four traffic lanes to accommodate the traffic load. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$273,945 (Contract \$217,178 Engr. & Contg. \$56,767); funds budgeted in Account No. 6700-205, Needham-Hackberry to Nellie)

ACTION: Res. 74-630 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

13. Consider award of contract for Improvements on Sylvan Avenue at Sylvan Club.
(Bids were opened on July 30, 1974. The low bid submitted by Lee White Paving Company, is 2.8% below the Engineer's Estimate and is considered acceptable. Therefore, the Public Works Department recommends that the contract be awarded to them. Resolution awarding contract to Lee White Paving Co. needed. Estimated cost: \$8,799.25 (Contract \$7,833.25 - Engr. \$966.00); funds budgeted in Account No. 6647-02-207, Misc. R/W & Improvements)

ACTION: Res. 74-631 adopted awarding contract to Lee White Paving Co.
(P/W to handle)

CONSENT

14. Consider authorizing staff to negotiate for the purchase of a vacujet sewer cleaner truck.
(Memo with agenda. Resolution waiving formal bid procedure and authorizing staff to negotiate for a vacujet sewer cleaner truck needed.)

ACTION: Res. 74-632 adopted waiving formal bid procedure and authorizing negotiations. (Finance to handle)

HEARINGS

15. Continued hearing concerning annexation of Sherwood Forest Addition to the City of Modesto. 4:00 P.M.

ACTION: Res. 74-633 adopted (Elliott/Dunlap, unan. - Simon, absent) overruling protests.

Res. 74-634 adopted (Elliott/Dunlap, unan. - Simon, absent) calling election for November 5, 1974.

Res. 74-635 adopted (Elliott/Dunlap, unan. - Simon, absent) requesting Board of Supervisors to consolidate this election with General Election. (Clerk to handle)

16. Hearing on Encroachment Permit, Mr. and Mrs. John L. Thompson, 3501 Northampton Lane, to allow construction of a fence in the public right of way. 4:05 P.M.
(Dunlap/Kullijian, unan.)

ACTION: By motion, hearing dropped at request of applicant.

17. Hearing on request of First Church of the Nazarene for Unclassified Use Permit to utilize existing facilities for a private school at property between Briggsmore and St. Paul's Way east of Oakdale Road. 4:10 P.M.
(NOTE: As proper notice was not given, it will be necessary to re-set this hearing for August 26, 1974 at 7:50 P.M.)

ACTION: Res. 74-636 adopted (Elliott/Kullijian, unan. - Simon, absent) rescinding Res. No. 74-618 and setting hearing for August 26, 1974 at 7:50 P.M. (Clerk to handle)

18. Matters for the good of the community. 4:15 P.M.
(These may be presented by interested persons in the audience)

ACTION: None.

ORDINANCES

CONSENT

19. Final adoption of the following:

(a) Ord. No. 1373-C.S. (Lodgers, etc. in R-1 zones)

ACTION: By motion, Ord. No. 1373-C.S. adopted.

(b) Ord. No. 1374-C.S. (Amendment to Sec. 8-3-9)

ACTION: By motion, Ord. No. 1374-C.S. adopted.

(c) Ord. No. 1375-C.S. (Amendment to Sec. 8-3-9)

ACTION: By motion, Ord. No. 1375-C.S. adopted.

(d) Ord. No. 1376-C.S. (Drive-in Theaters)
(Four motions adopting needed)

ACTION: By motion, Ord. No. 1376-C.S. adopted. (Clerk to handle)

NEW BUSINESS

20. Consider request for sewer service to property at 409 Robin Hood Drive, located on the north side of Robin Hood Drive between Doncaster Lane and Tuxford Lane. OWNERS: Paul M. & Liberty Zagaris. (The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to the City, however, a sewer main exists to serve it. Resolution approving agreement needed)

ACTION: Res. 74-637 adopted (Dunlap/Kullijian, unan. - Simon, absent) approving agreement, (Clerk to handle)

CONSENT

21. Coffee Road Right of Way - Mike and Peggy Kosich. (A Grant Deed and Right of Way Agreement have been received for property needed to widen Coffee Road. The agreement provides for payment by the City of \$889.00, which is the amount of the appraisal less cost of curbs, gutters, and sidewalks, to be installed by the City, Resolution accepting Grant Deed and approving agreement, Estimated cost: \$889; funds budgeted in Account No. 6725-1-207, Coffee, Brighton to Briggsmore.)

ACTION: Res. 74-638 adopted accepting Grand Deed and approving agreement. (Clerk to handle)

CONSENT

22. Right of Way, Coffee Road - John V, and Virginia R, Marshall. (A Grant Deed and Right of Way Agreement have been prepared for property needed to widen Coffee Road. The agreement provides for payment by the City of \$1,040 plus installation of curbs, gutters, and sidewalk. The amount is slightly more than the appraisal but is considered reasonable. Resolution accepting Grant Deed and approving agreement needed. Estimated cost: \$1,040; funds budgeted in Account No. 6725-1-207, Coffee, Brighton to Briggsmore)

ACTION: Res. 74-639 adopted accepting Grant Deed and approving agreement. (Clerk to handle)

CONSENT

23. Car Mileage for Personal Use. (Memo with agenda. Resolution authorizing rate increase for mileage to 14¢ per mile, effective August 6, 1974, needed)

ACTION: Res. 74-640 adopted increasing mileage rate to 14¢ per mile, effective August 6, 1974. (Finance to handle)

CONSENT

24. Resolution revising Position Classification Plan and resolution amending salary schedules and establishing compensation for new classification effective 8-6-74. (Memo of explanation, job specification and alphabetical listing attached. Adoption of two resolutions needed)

ACTION: Res. 74-641 adopted revising Position Classification Plan to create position of Microfilm and Graphics Technician.

Res. 74-642 adopted amending salary schedules. (Personnel to handle)

CONSENT

25. Renewal of Museum contents insurance policy.
(Memo with agenda. Motion authorizing renewal of policy and resolution approving appropriation transfer to cover increased costs needed)

ACTION: By motion, renewal of policy authorized.

Res. 74-643 adopted approving appropriation transfer of \$171 from Account 60-101 to Account 417-29-101. (Finance to handle)

CONSENT

26. Purchase of property at 621 Eleventh Street - Herron's Garage.
(Memo with agenda. Resolution accepting Grant Deed and Bill of Sale, and authorizing City Manager to sign Purchase Agreement; and a resolution appropriating \$82,500 from General Reserves)

ACTION: Res. 74-644 adopted accepting Grant Deed and Bill of Sale and approving agreement. (Clerk to handle)

Res. 74-645 adopted approving appropriation transfer of \$82,500 from Account 60-321 to Account 6550-41-321. (Finance to handle)

CONSENT

27. Rental of City premises at 818 Tenth Street, Modesto News Company.
(Mr. Joseph Saletta of Modesto News Company has requested temporary (30-60 days) use of City-owned unoccupied premises at 818 Tenth Street. The purpose is for storage of commercial equipment during remodeling of their facilities. The rental term is \$100 a month in advance. Resolution approving rental agreement needed.)

ACTION: Res. 74-646 adopted approving rental agreement. (Finance to handle)

28. Request of Knudsen Food Products for encroachment permit to allow the construction of an overhead conveyer across a portion of the public alley between E and F Streets in Block 52.
(Memo with agenda. Resolution granting encroachment permit needed)

ACTION: (Councilmember Newton was excused from consideration of this item as he is employed by Knudsen Corporation)

Res. 74-647 adopted (Elliott/Dunlap, unan. - Newton and Simon, absent) granting encroachment permit subject to conditions recommended by Director of Public Works. (P/W to handle)

CONSENT

29. Accept improvements in Sonoma Gardens Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of the statutory periods.
(Sonoma Gardens Subdivision is located west of Sonoma Avenue south of Orangeburg Avenue. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 74-648 adopted accepting improvements. (Clerk to handle)

REPORTS

30. Further report from City Attorney regarding Charter election.
(Memo with agenda. Motion of direction needed)

ACTION: By motion (Newton/Elliott, unan.) staff authorized to proceed.
(C/Atty and Clerk to handle)

31. Report on lease of former Naval Reserve facility at airport.
(Report with agenda. Motion authorizing staff to prepare agreement to lease facility to Yosemite Junior College District needed)

ACTION: By motion (Elliott/Dunlap, unan.) staff authorized to prepare agreement. (P/W and C/Atty to handle)

32. Report on McHenry Bus experiment.
(Report with agenda. Motion authorizing continuation of McHenry bus experiment until 1-1-75. Resolution authorizing waiving of formal bid procedure for purchase of a used bus and Resolution approving appropriation transfer of \$3,000 from Service Division General Reserve.)

ACTION: Res. 74-649 adopted (Kullijian/Mensing, unan. - Simon, absent) waiving formal bid procedure and authorizing purchase of used bus.

Res. 74-650 adopted (Kullijian/Mensing, unan. - Simon, absent) approving appropriation transfer of \$3,000 from Account 60-512 to Account 5438-48-512. (Finance to handle)

By motion, continuation authorized,

REPORTS FROM THE PLANNING COMMISSION

33. Further consideration of amendments to the proposed revised (1973) Land Use and Circulation Elements of the Modesto Urban Area General Plan.
(On July 16, 1974, the Planning Commission by Resolution 74-120, recommended to the City Council three amendments to the proposed revised (1973) Land Use and Circulation Elements of the Modesto Urban Area General Plan. Resolution adopting the Land Use and Circulation Elements of the Modesto Urban Area General Plan needed)

ACTION: Res. 74-651 adopted (Dunlap/Newton, unan. - Simon, absent) adopting the Land Use and Circulation Elements of the Modesto Urban Area General Plan. (Planning to handle)

CONSENT

34. Recommend amendments to Sections 19-3-9 and 30-3-9 of the Zoning Map in order to make zoning consistent with the Modesto Urban Area General Plan and denying a portion of the rezoning and pre-zoning application (Blue Gum, Carpenter, Kansas Area) (Planning Commission Initiated).
(On July 16, 1974, the Planning Commission adopted Resolution No. 74-121 recommending amendments to Sections 19-3-9 and 30-3-9 to rezone and prezone property located in the Blue Gum, Carpenter and Kansas Area, south of Blue Gum, east of Carpenter and on both sides of Kansas. Resolution setting September 10, 1974 at 7:30 P.M. for public hearing needed)

ACTION: Res. 74-652 adopted setting hearing. (Clerk to handle)

CONSENT

- 34a Appeal to Planning Commission denial of portion of pre-zoning.
(Resolution setting September 10, 1974 at 7:30 P.M. for hearing needed)
See attachments sent for Item 34.)

ACTION: Res. 74-653 adopted setting hearing. (Clerk to handle)

CONSENT

35. Recommend amendment to Section 9-3-9 of the Zoning Map in order to make the zoning consistent with the Modesto Urban Area General Plan (Southeast Robin Hood and McHenry) (Planning Commission Initiated). (On July 16, 1974, the Planning Commission adopted Resolution No. 74-123, recommending amendment to Section 9-3-9 of the Zoning Map to rezone from R-3 to H-1 property located at the southeast corner of McHenry Avenue and Robin Hood Drive. Resolution setting August 26, 1974 at 7:40 P.M. for public hearing needed)

ACTION: Res. 74-654 adopted setting hearing. (Clerk to handle)

CONSENT

36. Recommend amendment to Sections 16-3-9 and 17-3-9 of the Zoning Map in order to make the zoning consistent with the Modesto Urban Area General Plan (McHenry Avenue from Briggsmore Avenue to Bowen Avenue) (Planning Commission Initiated). (On July 16, 1974, the Planning Commission adopted Resolution No. 74-122 recommending amendment to Sections 16-3-9 and 17-3-9 of the Zoning Map to rezone from C-2 to H-1 all C-2 property between Briggsmore Avenue and Bowen Avenue on both sides of McHenry Avenue. Resolution setting August 26, 1974 at 7:35 P.M. for public hearing needed)

ACTION: Res. 74-655 adopted setting hearing. (Clerk to handle)

CONSENT

37. Recommend amendments to Sections 2-4-9, 3-4-9, 34-3-9 and 35-3-9 of the Zoning Map in order to make the zoning consistent with the Modesto Urban Area General Plan (Airport) (Planning Commission Initiated) (On July 16, 1974, the Planning Commission adopted Resolution No. 74-126, recommending amendments to Sections 2-4-9, 3-4-9, 34-3-9 and 35-3-9 of the Zoning Map to rezone from R-1 and M-2 to M-1 property which encompasses the Modesto City-County Airport, property located west of Mitchell Road, east of South Conejo Avenue, north of the Tuolumne River and south of Tenaya Drive. Resolution setting August 26, 1974, at 7:45 P.M. for public hearing needed)

ACTION: Res. 74-656 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

38. Approval of appropriation transfer for adjustment to Personnel Office budget. (Memo with agenda. Resolution approving appropriation transfer of \$5,170 from General Reserve needed)

ACTION: Res. 74-657 adopted approving appropriation transfer of \$5,170 from Account 60-101 to Accounts 120 (\$2,350), 130 (\$270), 230 (\$175), 235 (\$800), 302 (\$75), and 429 (\$1,500). (Finance to handle)

MISCELLANEOUS

39. Legislation.

ACTION: No action taken on AB 4496.
By motion (Elliott/Dunlap, unan.) AB 4449 supported.
By motion (Dunlap/Elliott, unan.) AB 4371 opposed.
By motion (Dunlap/Kullijian, unan.) AB 3784 opposed.

39. Legislation, continued.

ACTION: By motion (Kullijian/Newton, unan.) AB 3925 opposed.
By motion (Dunlap/Elliott, unan.) AB 1483 opposed.
By motion (Newton/Dunlap, unan.) AB 2757 supported.
By motion (Mensingher/Newton, unan.) SB 1633 and 1634 supported.
By motion (Mensingher/Elliott, unan.) AB 3911 supported.
(C/Mgr to handle)

40. Appointments.


ACTION: Res. 74-658 adopted (Dunlap/Newton, unan. - Simon, absent)
appointing Sylvia Ott, Karen Anderson, Dave Miller and Helen
Mar as members of the Modesto Youth Commission for terms ending
March 1975, March 1975, October 1975 and March 1975 respectively.
(P & R to handle)

41. Matters too late for the agenda.

ACTION: None.

The Council retired to executive session at 5:05 P.M. to discuss
condemnation with the announcement that they would not return to open
meeting.

Adjournment at 5:05 P.M.

ATTEST: 
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, AUGUST 12, 1974 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Mayor Davies

Absent: Simon

(Councilmember Newton arrived at 7:39 P.M.)

Pledge of allegiance to the Flag

Invocation by Reverend George Swift, Free Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 5, 6, 7, 8, 9, 10,
Item 35 removed from consent 11, 12, 16, 17, 19, 20, 21, 22,
Dunlap/Elliott, unan. - Newton and 23, 24, 25, 26, 27, 29, 30, 31,
Simon, absent 32, 33, 36, 37

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of August 1 and 5, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Application of Gerald and Jake Stokes for change or transfer of stock ownership of Modesto Garbage Co.
(Resolution setting August 26, 1974 at 7:55 P.M. for hearing needed)

ACTION: Res. 74-659 adopted setting hearing. (Clerk to handle)

3. Request of Homeowners on Briggsmore between Rose Avenue and Oakdale Road for installation of safety rails along Briggsmore.
(Memo from staff with agenda)

ACTION: By motion (Kullijian/Dunlap, unan.) further consideration continued to August 26, 1974 at request of representative of homeowners.
(Clerk to handle)

4. Request by Mid Valley Engineering for waiver of one-year waiting period for re-application for P-D zoning at northwest corner of Oakdale Road and Wylie Drive. (Charles Fenley)

ACTION: By motion (Elliott/Dunlap, carried - Kullijian, no) it was agreed to take no action on this request until the Council has received the Planning Commission recommendations re small business uses in this area (estimated to be in 30-40 days)

BIDS

CONSENT

5. Consider approval of specifications and authorize call for bids to be opened August 27, 1974 at 2:00 P.M. for furnishing two (2) four wheel diesel powered bucket loaders.
(Resolution needed. Estimated cost \$40,340) (Funds are budgeted)

ACTION: Res. 74-660 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

6. Consider acceptance of William Mineni's contract for construction of office addition at Building No. 3 at Corporation Yard.
(Original contract, \$17,180. All work on this project has been completed to the satisfaction of the Public Works and Parks Departments. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final contract cost \$17,447.45. Funds are budgeted)

ACTION: Res. 74-661 adopted accepting contract. (Clerk to handle)

CONSENT

7. Consider acceptance of Teichert Construction Co.'s contract for improvement of Morris-Virginia at M.I.D. Lateral No. 4.
(Original contract \$86,635. All work on this project has been completed to the satisfaction of the State Department of Transportation and the City Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution needed. Final contract cost, \$89,251.82. Funds are budgeted)

ACTION: Res. 74-662 adopted accepting contract. (Clerk to handle)

CONSENT

8. Consider acceptance of Joe Martin's contract for installation of waterlines in Granite Lane and McWilliams Way.
(Original contract, \$15,181.50. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file the notice of completion. Resolution needed. Final cost \$15,166.54. Funds are budgeted)

ACTION: Res. 74-663 adopted accepting contract. (Clerk to handle)

CONSENT

9. Consider acceptance of Osterberg & Stewarts' contract for drilling, casing, testing and development of two deep wells (Wells No. 40 and 41)
(Original contract, \$18,487.80. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file the notice of completion. Resolution needed. Final contract cost \$19,293.15. Funds are budgeted)

ACTION: Res. 74-664 adopted accepting contract. (Clerk to handle)

CONSENT

10. Approve plans, specifications and call for bids for Suzuki wall removal and replacement - Needham St.
(Bid opening August 27, 1974 at 10:15 A.M. This work is necessary due to the widening of Needham Street from Hackberry Avenue to Nellie Avenue. Resolution approving plans, specifications and call for bids needed. Funds are budgeted. Estimated cost \$6,900. (Contract \$6,100; Engr. \$800)

ACTION: Res. 74-665 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

11. Consider approval of plans and specifications and call for bids for construction of waterlines in McHenry Estates No. 4 and North Hampton Park No. 2.
(Suggested bid opening date August 27, 1974 at 10:20 A.M. Costs and Revenues, McHenry No. 4: Construction, \$35,436.76; connection charges, \$15,072; Net revenue, \$1,670.40. North Hampton No. 2: Construction \$28,310.97; Connection charges, \$11,120; New revenue, \$16,180.23, Mat. & Engr.) (Funds are budgeted)

ACTION: Res. 74-666 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

12. Consider award of contract for installation of waterlines in Romano Estates No. 1.
(Bids were opened August 6, 1974. The low bid, submitted by Robco Construction, which is 17% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution needed. Estimated cost \$11,418.15. Funds are budgeted)

ACTION: Res. 74-667 adopted awarding contract to Robco Construction.
(P/W to handle)

HEARINGS

13. Hearing on annexation of Standiford-Carver No. 1 Addition to City of Modesto. 7:30 P.M.

ACTION: Res. 74-668 adopted (Elliott/Dunlap, maj. - Mensinger, no - Simon, absent) declaring no majority protest made.

Ord. No. 1377-C.S. adopted (Elliott/Dunlap, maj. - Mensinger, no - Simon, absent) annexing Standiford-Carver No. 1 Addition to City of Modesto. (Clerk to handle)

Res. 74-669 adopted (Elliott/Dunlap, maj. - Mensinger, no - Simon, absent) directing Director of Planning to file Notice re Environmental Impact. (Planning to handle)

14. Three hearings on collection of unpaid utility user's tax: 7:35 P.M.

(a) G. W. Everett

ACTION: Res. 74-670 adopted (Kullijian/Dunlap, unan. - Simon, absent) confirming assessment.

(b) F. E. Thomas

ACTION: Res. 74-671 adopted (Kullijian/Dunlap, unan. - Simon, absent) confirming assessment.

(c) Jerry D. Hunt

ACTION: Res. 74-672 adopted (Kullijian/Dunlap, unan. - Simon, absent) confirming assessment. (Finance to handle)

15. Matters for the good of the community. 7:40 P.M.
(These may be presented by interested persons in the audience)

ACTION: Jerry Weinberg, rock band promoter, asked to have the Code revised to permit his use of Del Webb Field for concerts. By motion (Newton/Mensing, unan.) staff directed to obtain information as to what other cities are doing in connection with dances, rock concerts and amplified music. (C/Mgr to handle)

ACTION: Helen Marr, member of the Youth Commission, was introduced.

NEW BUSINESS

CONSENT

16. Addition of \$35 to the tax roll.

(The owner of Improvement District No. 22 assessment has requested the addition to the tax roll of an outstanding assessment in amount of \$35.00 (Assessment No. 101-06-83). This procedure is provided by Section 5450 of the Streets and Highways Code for the 1911 Act Special Improvement Assessments that are less than \$50.00. Resolution directing that the delinquent assessment be collected on the tax roll needed)

ACTION: Res. 74-673 adopted directing collection on tax roll. (Finance to handle)

CONSENT

17. Right of entry - Crows Landing Road - Manford Marshall.

(A right of entry authorizing the City to enter on right of way needed for improving Crows Landing Road pending completion of negotiations for acquisition has been signed by Mr. and Mrs. Marshall. Its provisions include payment by the City of \$2,400 for relocation of a commercial sign. This cost has been verified by the city staff. Resolution accepting right of entry needed. Estimated cost \$2,400. Funds are budgeted.)

ACTION: Res. 74-674 adopted accepting right of entry. (Finance to handle)

18. Consider encroachment permit for Arthur C. Bassard, 35 H Street.

(Memo with agenda. Resolution approving encroachment permit needed)

ACTION: At Mr. Bassard's request, the Council, by motion (Mensingher/Newton, unan.) continued further consideration to September 3. (Clerk to handle)

CONSENT

19. Request from Modesto Roadment for permission to conduct bicycle race around Downey Park and Downey High School September 1, 1974.

(Memo with agenda. Motion approving request needed. No cost to City)

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

CONSENT

20. Notice of Greyhound application for a 7.8% increase.

(Memo with agenda. No action needed)

NO ACTION

CONSENT

21. (a) Consider sewer extension to four locations in unincorporated area.

(Memo with agenda. Resolution needed approving sewer extensions as follows: 500' in alley of Block 9002; 260' in Lakewood Ave. from Freeport Way south; 55' in alley of Block 2270, and 120' in alley of Block 2806)

ACTION: Res. 74-675 adopted approving above listed sewer extensions. (P/W to handle)

CONSENT

21. (b) Consider request for sewer service to property at 908 Wycliff Court in Block 2806.
(Property owners C. Richard and Lona H. Wilson have signed an agreement to annex when requested to do so by City. The property is not contiguous to the City and a line must be extended to serve it.
(Resolution approving agreement needed)

ACTION: Res. 74-676 adopted approving agreement. (Clerk to handle)

CONSENT

22. Authorize advertising for sale residence located at 2909 River Road. (This property was acquired for clear zone purposes for the Airport. The building needs to be removed. There has been some interest shown by prospective purchasers. Resolution calling for bids to be received September 3, 1974 at 10:00 A.M. for purchase and removal needed)

ACTION: Res. 74-677 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

23. Resolution requesting approval by State Department of Transportation of suggested procedures and criteria for determining projects under the 1973 Federal Aid Highway Act and appointing the Public Works Director to serve on the Stanislaus County Urban System Technical Advisory Committee.
(Memo with agenda. Resolution needed)

ACTION: Res. 74-678 adopted requesting State approval of procedures and criteria and appointing Director of Public Works to serve on committee. (P/W to handle)

CONSENT

24. Consider approval of schedule of compliance for submission to the Environmental Protection Agency concerning control of gasoline vapors. Consider transfer of \$1,870 from the General Reserve of the Airport Fund and \$2,430 from the General Reserve of Service Working Capital Fund to accomplish modification of the facilities.
(Memo with agenda. Resolution approving submission of schedule of compliance and two resolutions approving appropriation transfers needed)

ACTION: Res. 74-679 adopted approving schedule of compliance for submission to E.P.A. (P/W to handle)

Res. 74-680 adopted approving appropriation transfer of \$1,870 from Account 60-230 to Account 5301-46-230.

Res. 74-681 adopted approving appropriation transfer of \$2,430 from Account 60-512 to Account 5303-48-512. (Finance to handle)

CONSENT

25. Consider adoption of resolution proposing charter amendments and calling a special municipal election and a resolution requesting the Board of Supervisors to consider said election with the general election on November 5, 1974.
(Memo with agenda. Adoption of two resolutions needed)

ACTION: Res. 74-682 adopted approving proposed Charter Amendments and calling election.

Res. 74-683 adopted requesting consolidations with November 5 General Election. (Clerk to handle)

CONSENT

26. Consider approval of request for aid, State and Federal-Aid Airport Program for overlay of 6,000' runway and parallel taxiway. (Memo with agenda. Two resolutions approving request for aid and authorizing City Manager to sign on behalf of the City. (One for State and one for Federal Government))

ACTION: Res. 74-684 adopted approving request for aid (State Department of Transportation, Division of Aeronautics.)

Res. 74-685 adopted approving request for aid (Federal Department of Transportation, Federal Aviation Administration.) (P/W to handle)

CONSENT

27. Consider approval of fixed base operator agreement with Donald P. LaTourette for the rental of Hangar No. 4 at Modesto City-County Airport. (Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 74-686 adopted approving agreement. (Clerk to handle)

28. Renewal of City's basic liability policy; report on annual premium for Umbrella policy; approval of appropriation transfers to provide for increased premiums. (Memo with agenda. Resolutions accepting bid of Great American Insurance Company and approving appropriation transfer needed)

ACTION: Res. 74-687 adopted (Dunlap/Newton, unan. - Simon, absent) accepting bid of Great American Insurance Co. for Liability; American Bankers for Umbrella and Errors and Omissions; and Yosemite Insurance Co. for Inverse Condemnation.

Res. 74-688 adopted (Dunlap/Newton, unan. - Simon, absent) approving appropriation transfer of \$53,522 from Account 60-101 to Accounts 409 (\$1,750), 413 (\$1,898), 415 (\$33,402), 416 (\$72), 418 (\$6,400), 419 (\$10,000), Department 64, Fund 101. (Finance to handle)

CONSENT

29. Consider acceptance of improvements in Flintridge Estates No. 1 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods. (Flintridge Estates No. 1 Subdivision is located on the south side of East Orangeburg Avenue east of Sonoma Avenue. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 74-689 adopted accepting improvements. (Clerk to handle)

CONSENT

30. Consider request for sewer service to the property at 412 Greenwich Lane located on the south side of Greenwich Lane between Doncaster Lane and Lancashire Lane. (Property owners James F. Dowd, Jr. and Kathryn P. Dowd have signed an agreement to annex when requested to do so by City. The property is not contiguous to the City; however, a line exists to serve the property. Resolution approving agreement needed)

ACTION: Res. 74-690 adopted approving agreement. (Clerk to handle)

CONSENT

31. Lease agreement - 1311 Legion Park Drive - Tuolumne River Regional Park,
(Mr. Mac H. McCann has signed an agreement to lease a residence on property acquired by the City for the Tuolumne River Regional Park. The term is for one year ending August 14, 1975 and is at the rate of \$125.00 per month. Resolution approving agreement needed)

ACTION: Res. 74-691 adopted approving agreement. (Clerk to handle)

CONSENT

32. Lease agreement, Dry Creek Park, Creekside Private School.
(Jack E. George and Charlotte K. Faulkner have signed an agreement to lease for school purposes the former Mildred Goodwill School acquired by the City for Dry Creek Park. The term of the lease is for three years ending August 14, 1977. Rental is at the rate of \$6,000 for the first year, and \$7,020 each for the second and third years. Resolution authorizing execution of agreement needed)

ACTION: Res. 74-692 adopted approving lease agreement. (Clerk to handle)

REPORTS

CONSENT

33. Submission of annual summary reports of activities of all city departments for fiscal year 1973-74.
(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.

34. Second draft of Stanislaus Area Transportation Plan.

ACTION: By motion (Dunlap/Newton, unan.) recommendations approved.
(C/Mgr to handle)

REPORTS FROM THE PLANNING COMMISSION

35. Recommend amendment to Section 33-3-9 of the Zoning Map in order to make zoning consistent with the Modesto Urban Area General Plan and denying a portion of the proposed rezoning application (Southeast Morton and 9th Street) (Planning Commission Initiated)
(On July 16, 1974 the Planning Commission adopted Resolution No. 74-125 recommending amendment to Section 33-3-9 of the zoning map to rezone from M-1 to R-1 property located on the south side of South Morton Boulevard east of South 7th Street and on both sides of South 9th Street. Resolution setting September 3, 1974 at 4:00 P.M. for public hearing needed)

ACTION: Res. 74-693 adopted (Kullijian/Elliott, unan. - Simon, absent) setting hearing. (Clerk to handle)

CONSENT

36. Recommend amendments to Article 2 and Article 15 of Chapter 2 of Title X of the Modesto Municipal Code (swimming pool definitions and fencing requirements).
(On August 6, 1974 the Planning Commission adopted a resolution recommending to the Council amendments to Articles 2 and 15 of Title X of the Modesto Municipal Code relating to a new swimming pool definition and providing for fencing around swimming pools. Resolution setting September 3 at 4:05 P.M. for public hearing needed)

ACTION: Res. 74-694 adopted setting hearing. (Clerk to handle)

CONSENT

37. Tentative subdivision map of Quaresma Tract No. 2.
(On August 6, 1974 the Planning Commission approved the tentative map of Quaresma Tract No. 2 subdivision and found that said subdivision, together with its design and improvements, is consistent with applicable general and specific plans of the City. The City Council is required to make the same findings. An environmental assessment of the subdivision has been made and a negative declaration has been filed. Resolution making findings needed)

ACTION: Res. 74-695 adopted making findings. (Clerk to handle)

MISCELLANEOUS

38. Legislation.

ACTION: By motion (Dunlap/Kullijian, unan.) SB 32 opposed.
By motion (Dunlap/Kullijian, unan.) SB 1363 opposed.
By motion (Dunlap/Newton, unan.) AB 2433 opposed.
(C/Mgr to handle)

39. Appointments.

NONE

40. Matters too late for the agenda.

ACTION: By motion (Mensing/Dunlap, unan.) staff authorized to attend meeting re New Melones Dam and express opposition to Proposition to be on November 5 ballot which would halt construction.
(C/Mgr to handle)

Adjournment at 9:40 P.M.

ATTEST:


W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, AUGUST 19, 1974 AT 4:00 P.M.

Roll call Present: Elliott, Kullijian, Mensinger, Simon, Mayor Davies
Absent: Dunlap, Newton
(Councilmember Simon arrived at 4:02 P.M.)

Pledge of allegiance to the Flag

Invocation by Reverend Donald G. Weston, St. John's Chapel of the Valley

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 4, 5, 6, 7, 8, 11, 12, Mensinger/Elliott, unan. - Dunlap, 13, 14, 15, 16
Newton and Simon, absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of August 12, 1974. (Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Request of Tanner and Peterson for waiver of one-year limitation on reapplying for commercial development on the northeast corner of Oakdale Road and Orangeburg Avenue.

ACTION: Res. 74-696 adopted (Kullijian/Simon, unan. - Dunlap and Newton, absent) granting waiver of one-year limitation. (Planning to handle)

3. Recommendations concerning group health insurance.

- (a) Police Association.
- (b) City Employees Association and Fire Fighters Association.
- (c) Memo from staff.

ACTION: Res. 74-697 adopted (Elliott/Simon, unan. - Dunlap and Newton, absent) approving continuing insurance with Blue Shield and authorizing City participation in dependent coverage in an amount not to exceed \$3.67 per employee, bi-weekly. (Personnel to handle)

Res. 74-698 adopted (Elliott/Simon, unan. - Dunlap and Newton, absent) approving appropriation transfer of \$25,000.00 from Account 60-101 to Account 426-64-101. (Finance to handle)

BIDS

CONSENT

4. Consider approval of specifications and authorize call for bids to be opened September 10, 1974 at 2:00 P.M. for furnishing one new offset duplicating machine.
(Resolution needed. Estimated cost \$9,000. Funds are budgeted)

ACTION: Res. 74-699 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

5. Consider approval of plans and specifications and call for bids for grading, concrete construction and paving at Rose Avenue Park, Sutter Park, and Woodrow Park.
(Suggested bid opening date September 3, 1974 at 10:10 A.M. This is the first stage of construction in the development of these three parks. Resolution needed. Estimated cost \$206,500 (\$201,000 Const., \$5,500 Engr.)

ACTION: Res. 74-700 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

6. Consider award of contract for planting and irrigation at Downey Park annex.
(Bids were opened August 13, 1974. The low bid submitted by Raintree Landscape and Sprinkler Co., which is 10% under the estimate is considered acceptable. It is recommended that the contract be awarded to them. Resolution needed. Estimated cost \$29,700. Funds are budgeted)

ACTION: Res. 74-701 adopted awarding contract to Raintree Landscape & Sprinkler Co. (P/W to handle)

CONSENT

7. Accept as complete the construction of a parking lot at the Senior Citizens Building on Bodem near Scenic. Contract price of \$30,380.00.
(This work has been satisfactorily completed by Elrich Construction. Resolution accepting construction needed. Estimated cost \$30,800.00. Funds are budgeted)

ACTION: Res. 74-702 adopted accepting contract. (Clerk to handle)

CONSENT

8. Consider award to lowest responsible bidder and authorize purchase of two brush chippers from Asplundh Equipment Sales and Service of Azusa, California. Memo with agenda. Resolution needed. Estimated cost \$11,189. Funds are budgeted)

ACTION: Res. 74-703 adopted awarding contract to Asplundh Equipment.
(Finance to handle)

9. Matters for the good of the community.

4:00 P.M.

NONE

ORDINANCES

10. Consider Dial-A-Ride (Taxi) ordinance.
(Memo with agenda. Red Top Taxi proposes to offer this service with their regular cabs. Introduction of ordinance needed)

ACTION: Ord. No. 1378-C.S. introduced (Mensingher/Elliott, unan. - Dunlap, Kullijian and Newton, absent) (Clerk to handle)

(Councilmember Kullijian was excused from consideration of this item due to a conflict of interest.)

NEW BUSINESS

CONSENT

11. Request of City Clerk for vacation August 21, 22 and 23.
(Motion granting request needed)

ACTION: By motion, request granted,

CONSENT

12. Agreement between the County of Stanislaus and City of Modesto authorizing the City to participate in the Comprehensive Employment and Training Act of 1973 employment program.
(Memo with agenda. Resolution approving agreement needed, Estimated cost \$152,000. Funds are budgeted)

ACTION: Res, 74-704 adopted approving agreement. (Clerk to handle)

CONSENT

13. Federal funds allocated to the City of Modesto for a Selective Traffic Enforcement Program by the U. S. Department of Transportation through the California Office of Traffic Safety.
(To establish accounts within the police budget to account for grant funds as required by the Office of Traffic Safety, State of California. Resolution amending the 1974-75 final budget to estimate revenue and budget expenditures needed)

ACTION: Res. 74-705 adopted amending budget to estimate revenue and expenditures. (Finance to handle)

CONSENT

14. Approve TOPICS program agreement for acquisition of Kansas-Needham connection right of way.
(Estimated total cost of right of way is \$180,200, with TOPICS paying at least \$10,200. This will be the last TOPICS project, as our \$413,000 allotment has now been spent or committed except for the \$10,200. Resolution approving agreement needed. Funds are budgeted)

ACTION: Res, 74-706 adopted approving agreement. (Clerk to handle)

CONSENT

15. Acceptance of improvements in Lincoln Manor No. 1 Subdivision and authorization of City Clerk to file notice of completion and release bonds upon expiration of statutory periods.
(This subdivision is located on the south side of East Orangeburg Avenue and east of Lakewood Avenue. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res, 74-707 adopted accepting improvements, (Clerk to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

16. Recommend that the street name "Dooley Avenue" in Lincoln Manor No. 1 Subdivision be changed to "Marymar Drive."
(On August 6, 1974 the Planning Commission, by adoption of Resolution No. 74-139, recommends that the street name "Dooley Avenue" in Lincoln Manor No. 1 Subdivision be changed to "Marymar Drive" resulting from a request of Charles M. Gargotto, the subdivider of Lincoln Manor No. 1. Resolution needed)

ACTION: Res. 74-708 adopted changing name of Dooley Avenue to Marymar Drive. (Clerk to handle)

17. Modesto Urban Area Employment Projections. (Report)
(Copies of the subject report were distributed to the Council early
this month. A brief oral report will be made at the meeting.
No action necessary - information only)

ACTION: The report was presented to the Council.

MISCELLANEOUS

18. Legislation.

(a) Request for Council opposition to Proposition 17.

ACTION: Res. 74-709 adopted (Kullijian/Elliott, unan. - Dunlap and
Newton, absent) opposing Proposition 17.

(b) Other.

ACTION: By motion (Simon/Elliott, unan.) SB 1652 opposed as amended.
By motion (Elliott/Kullijian, unan.) AB 3666 opposed.
(C/Mgr to handle)

19. Appointments.

NONE

20. Matters too late for the agenda.

ACTION: Res. 74-710 adopted (Mensingier/Elliott, unan. - Dunlap and
Newton, absent) appointing Councilmember Dunlap as representative
of City of Modesto on the Stanislaus County Agricultural Study
Committee. (Clerk to handle)

Adjournment at 5:35 P.M.

ATTEST:


W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, AUGUST 26, 1974 AT 7:30 P.M.

Roll call Present: Elliott, Kullijian, Mensinger, Newton, Simon,
Mayor Davies
Absent: Dunlap

Pledge of allegiance to the Flag
Invocation by Father DeGroot, St. Joseph's Catholic Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 14, 16,
Item 24 removed from consent 17, 18, 19, 20, 23, 26, 27, 28,
Newton/Simon, unan. - Dunlap, absent 29, 30

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of August 19, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

BIDS

CONSENT

2. Approve plans and specifications and call for bids for Service Yard paving, Block 435.
(Bid opening September 10, 1974 at 10:15 A.M. This project is part of the Service Yard expansion site - bus storage area. Resolution approving plans and specifications and call for bids needed. Estimated cost \$28,000 (Contract \$23,928; Eng. & Contg. \$4,072). Funds are budgeted)

ACTION: Res. 74-711 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

3. Consider award of contract for replacement of street light circuit at Station No. 7.
(Bids were opened August 20, 1974. The low bid submitted by Ferrero Electric, Inc. is 20.5% below the Engineer's Estimate and is considered acceptable. The Public Works Department recommends that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$8,445; (Contract \$7,945; Engr. \$500). Funds are budgeted)

ACTION: Res. 74-712 adopted awarding contract to Ferrero Electric, Inc. (P/W to handle)

CONSENT

4. Consider approval of specifications and call for bids for the demolition of the former Nazarene Church Building, 1801 H Street. (Bid opening September 10, 1974 at 10:20 A.M. Memo with agenda, Resolution approving specifications and call for bids needed. Funds to be requested following opening of bids when amount needed is known)

ACTION: Res. 74-713 adopted approving specifications and bid call. (Clerk to handle)

CONSENT

5. Consider accepting low bid of H. V. Carter Co., Inc., for furnishing one new turf sweeper and authorizing purchase. (Memo with agenda. Resolution needed. Estimated cost \$4,741. Funds budgeted in Account 5423-48-512, Service Division Working Capital Fund)

ACTION: Res. 74-714 adopted accepting low bid of H. V. Carter Co., Inc. (Finance to handle)

CONSENT

6. Consider acceptance of negotiated offers for VacuJet Sewer Cleaner. (Memo with agenda. Resolution awarding truck cab and chassis to Dow-Hammond Company needed; Resolution awarding Vactor VacuJet sewer cleaner to George's Contractor's Supply, Inc. needed; Resolution approving appropriation transfer of \$8,451 needed. Estimated cost \$65,451. Funds are budgeted)

ACTION: Res. 74-715 adopted accepting bid of Dow-Hammond Co. for truck cab and chassis,

Res. 74-716 adopted accepting bid of George's Contractor's Supply, Inc. for Vactor VacuJet sewer cleaner.

Res. 74-717 adopted approving appropriation transfer of \$8,451 from Account 60-212 to Account 6612-212. (Finance to handle)

HEARINGS

7. Eleven hearings on alley improvements. 7:30 P.M.

- (a) Block 128, G Street, F Street, Sixteenth Street, Seventeenth Street.

ACTION: Res. 74-718 adopted (Kullijian/Mensing, unan. - Dunlap, absent) ordering work done.

- (b) Block 210, James St., Burney St., Lane St., Walden St.

ACTION: By motion (Mensing/Newton, unan.) further consideration delayed to September 3, 1974 to enable staff to consider further. (P/W to handle)

- (c) Block 403, Vine St., Walnut St., Madison St., Franklin St.

ACTION: Res. 74-719 adopted (Kullijian/Mensing, unan. - Dunlap, absent) ordering work done.

- (d) Block 445, Campus Way, Stoddard Ave., Tidewater Southern.

ACTION: Res. 74-720 adopted (Kullijian/Mensing, unan. - Dunlap, absent) ordering work done.

- (e) Blocks 546 and 554, W. Morris Ave., Elmwood Ave., Magnolia Ave.

ACTION: Res. 74-721 adopted (Kullijian/Mensing, unan. - Dunlap, absent) ordering work done.

7. Eleven hearings on alley improvements, (continued)

7:30 P.M.

(f) Block 1047, Coffee Road, Chadwick Court.

ACTION: Res. 74-722 adopted (Kullijian/Mensing, unan. - Dunlap, absent) ordering work done.

(g) Blocks 2197 and 2198, San Juan Drive, Fusco Ave., Roble Ave., Miller Ave.

ACTION: Res. 74-723 adopted (Kullijian/Mensing, unan. - Dunlap, absent) ordering work done.

(h) Block 6065, Enslin Ave., Sherwood Ave., Bermuda Way, Balboa Way.

ACTION: Res. 74-724 adopted (Kullijian/Mensing, unan. - Dunlap, absent) ordering work done.

(i) Block 6726, Tully Road, Monte Vista Ave., Mount Vernon Drive, Bowen Ave.

ACTION: Res. 74-725 adopted (Simon/Elliott, unan. - Dunlap, absent) ordering work done.

(j) Block 6825, Northwood Drive, Northgate Drive, Fremont Ave., Sherwood Ave.

ACTION: Res. 74-726 adopted (Kullijian/Mensing, unan. - Dunlap, absent) ordering work done

(k) Block 6904, Coddling Drive, LaCienega Drive, Norwegian Ave., Ribier Ave.
(Resolutions ordering work done needed)

ACTION: Res. 74-727 adopted (Elliott/Newton, unan. - Dunlap, absent) ordering work done. (P/W to handle)

8. Hearing on amendments to Sections 16-3-9 and 17-3-9 of zoning map to rezone certain properties to conform with the General Plan, (McHenry from Briggsmore to Bowen) 7:35 P.M.

ACTION: After the hearing was closed, the Council by motion (Elliott/Kullijian, unan.) referred this back to the Planning Commission. (Planning to handle)

9. Hearing on amendment to Section 9-3-9 of zoning map to rezone certain property to conform with the General Plan. (Southeast corner, Robin Hood and McHenry) 7:40 P.M.

ACTION: Ord. No. 1379-C.S. introduced (Simon/Elliott, unan. - Dunlap, absent) amending Section 9-3-9 of zoning map. (Clerk to handle)

Res. 74-728 adopted (Simon/Elliott, unan. - Dunlap, absent) directing Director of Planning to file Notice re Environmental Impact. (Planning to handle)

10. Hearing on amendments to Section maps 2-4-9, 3-4-9, 34-3-9 and 35-3-9 of zoning map to rezone certain properties to conform with the General Plan (Airport) 7:45 P.M.

ACTION: Ord. No. 1380-C.S. introduced (Simon/Newton, unan. - Dunlap, absent) amending Sections 2-4-9, 3-4-9, 34-3-9 and 35-3-9 of zoning map. (Clerk to handle)

Res. 74-729 adopted (Simon/Newton, unan. - Dunlap, absent) directing Director of Planning to file Notice re Environmental Impact. (Planning to handle)

11. Hearing on request of First Church of the Nazarene for unclassified use permit to utilize existing facilities for a private school at property between Briggsmore and St. Paul's Way, east of Oakdale Road. 7:50 P.M.

ACTION: Res. 74-730 adopted (Simon/Elliott, unan. - Dunlap, absent) granting Unclassified Use Permit subject to conditions recommended by Planning Commission with the exception that applicant is given until December 1, 1974 to install fire hydrant. (Planning to handle)

Res. 74-731 adopted (Simon/Elliott, unan. - Dunlap, absent) directing Director of Planning to file Notice re Environmental Impact. (Planning to handle)

12. Hearing on application of Jake Stokes and Gerald Stokes for change or transfer of stock ownership of Modesto Garbage Company. 7:55 P.M.

ACTION: Res. 74-732 adopted (Mensingher/Kullijian, unan. - Dunlap, absent) consenting to stock transfer. (Clerk to handle)

13. Matters for the good of the community. 8:00 P.M.
(These may be presented by interested persons in the audience)

ACTION: Mrs. Miller requested information concerning rock concert held at the Uptown Arena on August 24 and also stated that her son had been threatened with arrest. The City Manager reported that there was a disturbance in the Greyhound parking lot and that the police had declared it to be an unlawful assembly and ordered the group to disburse. Mrs. Miller was informed that the rock concert was legal as it was on private property and was within a building.

ORDINANCES

CONSENT

14. Final adoption of Ordinance No. 1378-C.S. relating to taxicab rates. (Motion approving needed)

ACTION: By motion, Ord. No. 1378-C.S. adopted. (Clerk to handle)

OLD BUSINESS

15. Further consideration of request of homeowners on Briggsmore Ave. between Rose Avenue and Oakdale Road, for installation of safety rails along Briggsmore. (Mrs. McLaughlin has withdrawn the request)

ACTION: None.

NEW BUSINESS

CONSENT

16. Notice of Trailways request to P.U.C. for a 9% rate increase. (Memo with agenda. Fares and express charges would be increased by 9%. No action needed. Informational only)

NO ACTION

CONSENT

17. Consider Stanislaus County resolution regarding bus service. (Memo and resolution with agenda. County is offering \$55,000 to assist and expand service this fiscal year. Motion authorizing letter to Board of Supervisors and preparation of agreement needed. No cost at this time. Financing to await agreement)

ACTION: By motion, Mayor authorized to thank Board of Supervisors for the offer and staff directed to prepare agreement, (P & T and C/Atty to handle)

CONSENT

18. Lease agreement - Old Police Station - Don L. Thiel. (This agreement provides for continuation of the present lease for the front 50 feet of the City's old police station property on 10th Street. It is for a period of one year. The rental is \$35 per month. Resolution approving agreement needed)

ACTION: Res. 74-733 adopted approving lease agreement. (Clerk to handle)

CONSENT

19. Appropriate \$10,000 from the Ralston Tower developers for the installation of a pedestrian actuated traffic signal on Downey Ave. between McHenry and I Street. (Memo with agenda. A condition of the Ralston Tower planned development is that the developer pay up to \$10,000 to the City for the installation of a pedestrian actuated traffic signal at a location determined by the Director of Parking and Traffic. (1) Resolution amending 1974-75 budget to estimate revenue and budget expenditures needed. (2) Motion authorizing Director of Parking and Traffic to proceed with plans and specifications for the signalized crossing. Estimated cost \$10,000. Funds budgeted in Account 6199-56-321, Traffic signals on Downey between McHenry and I Street.)

ACTION: Res. 74-734 adopted amending 1974-75 budget. (Finance to handle)

By motion, staff authorized to prepare plans and specifications. (P & T to handle)

CONSENT

20. Agreement with John C. Sue and Associates. (Agreement provides that John C. Sue and Associates, Landscape Architects, will prepare a master plan for Coleman F. Brown Park for a lump sum figure of \$7,150. The agreement is the standard agreement which we use for all master plans. Resolution approving agreement needed. Funds are budgeted)

ACTION: Res. 74-735 adopted approving agreement. (Clerk to handle)

REPORTS

21. Report on the 1974-75 City assessed values and tax rates. (Report with agenda. Ordinance setting tax rates needed)

ACTION: Ord. No. 1381-C.S. adopted (Elliott/Kullijian, unan. - Dunlap, absent) fixing tax rates. (Clerk to handle)

22. Report on Head Rest's request for city financial assistance. (Report will be made by Councilman Simon)

ACTION: Res. 74-736 adopted (Simon/Mensing, maj. - Kullijian and Davies, no - Dunlap, absent) approving appropriation transfer of \$20,000 from Account 60-101 to Account 231-65-101 subject to approval of request for State grant. (Finance to handle)

APPROPRIATION TRANSFERS

CONSENT

23. Consider approval of appropriation transfer in the amount of \$4,238 from General Reserve, General Fund, to Account 320-43-101, Street Lights and Signals in the Electrical Budget.
(Memo with agenda. Resolution approving appropriation transfer needed)

ACTION: Res. 74-737 adopted approving appropriation transfer of \$4,238 from Account 60-101 to Account 320-43-101. (Finance to handle)

REPORTS FROM THE PLANNING COMMISSION

24. Uninhabited annexation to the City of Modesto - North McHenry No. 2 Addition.
(The LAF Commission has authorized this annexation without notice or public hearing - June 21, 1974, Resolution approving annexation needed)

ACTION: Res. 74-738 adopted (Mensingers/Simon, unan. - Dunlap, absent) annexing North McHenry No. 2 Addition to City of Modesto.
(Clerk to handle)

Res. 74-738-A adopted (Mensingers/Simon, unan. - Dunlap, absent) directing Director of Planning to file Notice re Environmental Impact. (Planning to handle)

25. Proposed City policy on rezoning requests not consistent with the General Plan (Round No. 2)
(Memo with agenda. Resolution adopting a policy on rezoning requests not consistent with the General Plan needed)

ACTION: By motion (Kullijian/Simon, maj. - Mensinger, No) alternate No. 1 (present policy) adopted. (Planning to handle)

CONSENT

26. Recommend amendment to Section 4-4-9 of the zoning map in order to make the zoning consistent with the Modesto Urban Area General Plan (Flores Ave. area - Planning Commission initiated)
(On August 20, 1974, the Planning Commission adopted Resolution No. 74-148 recommending amendment to Section 4-4-9 of the zoning map to prezone to M-1 an area in the Flores Avenue area as shown on the attached map. Resolution setting date for public hearing needed, September 23, 1974 at 7:30 P.M.)

ACTION: Res. 74-739 adopted setting hearing. (Clerk to handle)

CONSENT

27. Recommend amendment to Section 13-3-8 of the zoning map in order to make the zoning consistent with the Modesto Urban Area General Plan. (Portion of northwest corner of Earl and Strivens - Planning Commission initiated)
(On August 20, 1974, the Planning Commission adopted Resolution No. 74-147 recommending amendment to Section 13-3-8 of the zoning map to rezone from C-1 to R-2 property located at the northwest corner of Earl and Strivens. Resolution setting September 23, 1974 at 7:35 P.M. for public hearing needed)

ACTION: Res. 74-740 adopted setting hearing. (Clerk to handle)

CONSENT

28. Tentative subdivision maps: (a) Carver Glen Subdivision; (b) Woodglen Park No. 1 and 2 subdivisions.
(On August 20, 1974 the Planning Commission approved the tentative maps of the above subdivisions and found that said subdivisions, together with their designs and improvements, are consistent with applicable general and specific plans of the City. The City Council is required to make the same findings. Environmental assessments of the subdivision have been made and negative declarations have been filed. Two resolutions making findings needed)

ACTION: Res. 74-741 adopted making necessary findings for Carver Glen.
Res. 74-742 adopted making necessary findings for Woodglen Park No. 1 and 2. (Clerk to handle)

CONSENT

29. Recommend amendment to Section 10-2.301 of Title X of the Municipal Code. (Names of Residential Zones)
(On August 20, 1974 the Planning Commission, by adoption of Resolution No. 74-149, recommended to the Council an amendment to Section 10-2.301 of the zoning ordinance in order that the names of the residential zones in Section 10-2.301 will be in conformance with the residential zone names found in other sections of the zoning ordinance. Resolution setting September 16, 1974 at 4:00 P.M. for public hearing needed)

ACTION: Res. 74-743 adopted setting hearing. (Clerk to handle)

CONSENT

30. Recommend that the names of two city streets be changed and that a name be adopted for the one city street.
(On August 20, 1974 by adoption of Resolution No. 74-144, the Planning Commission recommended that two portions of Briggsmore Avenue be renamed "Ardmore Avenue" and "Burchell Court;" and that the short street connecting Morton Boulevard with LaLoma be named "Morton Way." Adoption of resolutions needed)

ACTION: Res. 74-744 adopted renaming portion of Briggsmore Ave. between College and Ardmore to Ardmore Ave.

Res. 74-745 adopted renaming portion of Briggsmore Ave. west of McHenry for 300' to Burchell Court.

Res. 74-746 adopted naming street which connects Morton Boulevard and LaLoma as Morton Way. (Clerk to handle)

MISCELLANEOUS

31. Legislation.

NONE

32. Appointments.

NONE

33. Matters too late for the agenda.

NONE

34. Adjournment at 10:25 P.M.

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 3, 1974 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Mensinger, Newton, Simon, Mayor Davies
Absent: Kullijian

Pledge of allegiance to the Flag
Invocation by Father Michael Kelly, Our Lady of Fatima Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 9,
Item 10 removed from consent 11, 12a, 12b, 13, 19, 20,
Item 12c dropped from agenda 21, 22, 23, 24, 26, 27, 31
Dunlap/Newton, unan. - Kullijian, absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of August 26, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request for permission to use portion of sidewalk in front of the Daisy Tree, 1016 G Street, for display of merchandise between 8:00 A.M. and 6:00 P.M. on September 8, 1974.
(Resolution granting request needed)

ACTION: Res. 74-747 adopted granting request. (Clerk to handle)

BIDS

CONSENT

3. Approve plans and specifications and call for bids for construction of traffic signals at G St. and 12th St.
(Resolution approving plans and specifications and call for bids to be received at 2:00 P.M. October 1, 1974 needed).

ACTION: Res. 74-748 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

4. Consider approval of plans and specifications and call for bids for construction of waterlines in Carver Village.
(Suggested bid opening date September 17, 1974 at 10:00 A.M. Costs and revenues: Construction, \$85,686.14; Connection, \$18,150.00; Net Revenue, \$2,105.40. Resolution needed. Estimated cost \$85,686.14 (\$67,906.00 Const., \$17,780.14, Matl. Funds are budgeted)

ACTION: Res. 74-749 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

5. Consider acceptance of Morrow & Waggoner's contract for construction of curb and gutter on Neece Drive. (Original contract \$5,109.35. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final contract \$5,039.04. Funds are budgeted)

ACTION: Res. 74-750 adopted accepting contract. (Clerk to handle)

CONSENT

6. Consider award of contract for construction of waterlines in McHenry Estates No. 4 and North Hampton Park No. 2. (Bids were opened August 27, 1974. The low bid submitted by Joe Martin, which is 20% below the estimate, is considered acceptable. It is recommended that the contract be awarded to him. Resolution needed. Estimated cost \$39,025.25. Funds are budgeted)

ACTION: Res. 74-751 adopted awarding contract to Joe Martin. (P/W to handle)

CONSENT

7. Consider award of contract for Suzuki Wall Removal and Replacement, Needham Street. (Bids were opened August 27, 1974. A review of the bids with the two bidders indicates that the estimated amount does not properly reflect the current costs for doing this type of work. The two bids received varied by only 1.5%. The low bid submitted by Matteson Construction Co. is 83% above the Engineer's Estimate. The Public Works Department does not feel that re-advertising for the work will provide a lower bid and therefore recommends that the contract be awarded to Matteson Construction Co. Resolution awarding contract needed. Estimated cost \$11,977. (Contract, \$11,177; Engr. \$800). Funds are budgeted)

ACTION: Res. 74-752 adopted awarding contract to Matteson Construction Co. (P/W to handle)

CONSENT

8. Consider acceptance of Lee Cain's contract for construction of catch basins at various locations. (Original contract \$11,800. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final cost: Contract, \$11,800. Funds are budgeted)

ACTION: Res. 74-753 adopted accepting contract. (Clerk to handle)

CONSENT

9. Consider acceptance of Robco Construction Company's contract for installation of waterlines in Hintze Ave. (Original contract \$26,717.70. All work on this project has been completed to the satisfaction of the Public Works Department. It is in order to accept the work as complete and record notice of completion. Resolution accepting work as complete needed. Final cost, contract, \$26,555.20. Funds are budgeted)

ACTION: Res. 74-754 adopted accepting contract. (Clerk to handle)

10. Consider approval of plans and specifications and call for bids for construction of subtrunk sewer in Carver Road, and authorize City Manager to sign revocable permit with Hetch Hetchy Water and Power to allow boring under Hetch Hetchy water lines. (Suggested bid opening date September 17, 1974 at 10:10 A.M. This subtrunk sewer is needed to serve the subdivisions which are being developed on Carver Road. Two resolutions needed. Estimated cost \$171,900 (\$166,900, Const.; \$5,000, Engr. and Insp.) Funds are budgeted)

ACTION: Res. 74-755 adopted (Mensingers/Simon, unan. - Kullijian, absent) approving plans and specifications and bid call. (Clerk to handle)

Res. 74-756 adopted (Mensingers/Simon, unan. - Kullijian, absent) authorizing City Manager to sign revocable permit. (Clerk to handle)

CONSENT

11. Consider acceptance of C. C. Knight's contract for painting of elevated water tank No. 2. (Original contract \$8,485. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work as complete needed)

ACTION: Res. 74-757 adopted accepting contract. (Clerk to handle)

CONSENT

- 12(a) Consider approval of appropriation transfer of \$179,000 from Rose, Briggsmore to Floyd, to Needham, Hackberry to Nellie and to Prescott-Carpenter overpass street projects within the Local Transportation Fund (205) and appropriation transfer of \$26,000 from Standiford, Lateral 7 to Dale to Coffee, Brighton to Briggsmore street project within the Sp. Gas Tax Street Impr. Fund (207). Memo with agenda. Two resolutions approving two appropriation transfers needed).

ACTION: Res. 74-758 adopted approving appropriation transfer of \$179,000 from Account 6733-205 to Account 6705-205 (\$168,000) and Account 6735-205 (\$11,000)

Res. 74-759 adopted approving appropriation transfer of \$26,000 from Account 6751-207 to Account 6725-207. (Finance to handle)

CONSENT

- 12(b) Consider award of contract for the improvement of Needham Street from Hackberry Ave. to Nellie Ave. (Bids were opened August 27, 1974. The only bid submitted was by George Reed, Inc. It is 2% above the Engineer's Estimate and is considered acceptable. The Public Works Department recommends that the contract be awarded to George Reed Inc. Resolution awarding contract needed. Estimated cost \$267,000. (Contract \$222,283.95 - Engr. and Contg. \$44,716.05) Funds are budgeted)

ACTION: Res. 74-760 adopted awarding contract to George Reed, Inc. (P/W to handle)

CONSENT

- 12(c) Consider award of contract for the improvement of Coffee Road from Brighton Ave. to Briggsmore Ave.
(Bids were opened August 27, 1974. The low bid, submitted by George Reed, Inc., is 14.8% below the Engineer's Estimate and is considered acceptable. The Public Works Department recommends that the contract be awarded to George Reed, Inc. Resolution awarding contract needed. Estimated cost \$114,000 (Contract \$98,233; Engr. & Contg. \$15,767) Funds are budgeted)

DROPPED FROM AGENDA

CONSENT

13. Consider award to low bidder, Heil Equipment Company, Fremont, CA to furnish one new refuse packer truck.
(Memo with agenda. Resolution making award needed. Estimated cost \$13,757. Funds are budgeted)

ACTION: Res. 74-761 adopted accepting bid of Heil Equipment Co.
(Finance to handle)

HEARINGS

14. Hearing on amendment to Section 33-3-9 of zoning map to rezone southeast Morton and 9th Street area to conform with the General Plan. 4:00 P.M.

ACTION: Ord. No. 1382-C.S. introduced (Simon/Dunlap, unan. - Kullijian, absent) amending Sec. 33-3-9 of zoning map. (Clerk to handle)

Res. 74-762 adopted (Simon/Dunlap, unan. - Kullijian, absent) directing Director of Planning to file Notice of Determination re Environmental Impact. (Planning to handle)

15. Hearing on amendments to Chapter 2 of Title X of Modesto Municipal Code - swimming pool definitions and fencing requirements. 4:05 P.M.

ACTION: Ord. No. 1383-C.S. introduced (Dunlap/Mensing, unan. - Kullijian, absent) amending Chapter 2 of Title X. (Clerk to handle)

16. Matters for the good of the community. 4:10 P.M.
(These may be presented by interested persons in the audience.)

ACTION: Mayor Davies called for oral bids for the sale and removal of a residence located at 2909 River Road. No bids were offered.

UNFINISHED BUSINESS

17. Further consideration of encroachment permit for Authur Bassard.

ACTION: Res. 73-763 adopted (Elliott/Dunlap, unan. - Kullijian, absent) rejecting request of Mr. Bassard for financial reimbursement for moving of building and granting encroachment permit subject to acceptance of terms of permit within thirty (30) days. (Clerk to handle)

18. Further consideration of improvement of alley in Block 210 - James, Burney, Lane, and Walden Streets.

ACTION: Res. 74-764 adopted (Simon/Elliott, unan. - Kullijian, absent) overruling protests for north-south portion of alley.
Res. 74-765 adopted (Simon/Elliott, unan. - Kullijian, absent) ordering work done on north-south portion of alley. (P/W to handle)

NEW BUSINESS

CONSENT

19. Renewal of City policy with California Dental Service.
(The two year policy terminates October 17, 1974. Renewal of present agreement for two years is recommended with continuance of the same bi-weekly rate of \$2.40 which has been in effect for the past two years. Resolution authorizing City Manager to sign renewal agreement needed)

ACTION: Res. 74-766 adopted authorizing City Manager to sign renewal agreement. (Clerk to handle)

CONSENT

20. Amendment to purchase agreement - Mary R. Carpenter - Tuolumne River Regional Park.
(When this property was purchased from Mrs. Carpenter, the agreement provided for vacation by her of the premises by September 1, 1974. She has requested a 60-day extension. Since there is no loss to the City, an amendment has been prepared providing for this extension. Resolution approving amendment to agreement needed)

ACTION: Res. 74-767 adopted approving amendment to agreement. (Clerk to handle)

CONSENT

- 21(a) Consider vacating and abandoning the 20-foot public alley in Block 82 of the City of Modesto.

ACTION: Res. 1292-S.P. adopted vacating and abandoning alley. (Clerk to handle)

- 21(b) Authorize execution of deed from City of Modesto to Stanislaus County of parking lot located at 11th and G Streets.
(Memo with agenda. Resolution vacating and abandoning the alley and resolution authorizing execution of a deed from City to County needed)

ACTION: Res. 74-768 adopted authorizing deed to County for parking lot. (Clerk to handle)

CONSENT

22. Consider approval of pre-application for Federal Assistance for fire crash rescue truck, aviation easement, terminal ramp reconstruction, and Airport security fencing.
(Memo with agenda. Resolution approving request for aid and authorizing City Manager to sign on behalf of City needed)

ACTION: Res. 74-769 adopted approving request for aid. (P/W to handle)

CONSENT

23. Consider approval of airport lease with the Yosemite Junior College District for the lease of the former Naval Reserve facilities.
(Memo with agenda. Resolution approving lease needed)

ACTION: Res. 74-770 adopted approving lease. (Clerk to handle)

CONSENT

24. Consider acceptance of improvements in Old Orchard No. 2 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory period. (Old Orchard No. 2 Subdivision is located north of E. Orangeburg Avenue east of Lakewood Avenue just south of Briggsmore Ave. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 74-771 adopted accepting improvements. (Clerk to handle)

25. Architectural services - city hall expansion. (Memo with agenda. Resolution authorizing execution of agreement needed. Estimated cost \$52,000. Funds are budgeted)

ACTION: By motion (Simon/Newton, unan.) staff directed to seek further proposals; to hold present proposals in abeyance; and to insure that local firms are notified. (C/Mgr to handle)

REPORTS

CONSENT

26. Report by D.I.D. on Commuter Bus Pass Program. (Motion accepting needed)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

27. Recommend amendment to Sections 15-3-9 and 16-3-9 of the zoning map (northeast and southwest corners of Floyd and Coffee (Commission Initiated) (Planning Commission Res. No. 74-146 adopted August 20, 1974 recommends amendment to Sec. 15-3-9 and 16-3-9 of the zoning map to rezone certain properties in order to make zoning compatible with surrounding land uses and denied a portion of the proposed rezoning. Map of proposed rezoning attached to resolution with agenda. Resolution setting September 23, 1974 at 7:40 P.M. for public hearing needed)

ACTION: Res. 74-772 adopted setting hearing. (Clerk to handle)

28. Citizen Input in the Decision Making at City Hall (Report) (Copies of the subject report with agenda. A brief oral report will be made at the meeting. No action necessary at this time - information only)

NO ACTION

29. SAAG Housing Element, Phase III (Report) (Memo with agenda. Information only; suggestions to staff welcome)

ACTION: No action at this time pending report by City Manager on meeting concerning housing that he is to attend in Oakland.

30. Modesto Area 1970 Population and Housing Report, Volumes I and II. (Copies of the subject report distributed with agenda. A brief oral report will be made at the meeting. No action necessary at this time - information only)

NO ACTION

APPROPRIATION TRANSFERS

CONSENT

31. Consider authorizing additional appropriations in the Service Division Working Capital Fund (512) in the amount of \$50,000. (\$4,107 is required to cover the cost escalation of a refuse packer which was not anticipated at the time of the original budget request. See memo from the Director of Finance to the City Manager dated August 27, 1974. We feel that there will be similar cost increases with future bid openings and recommend increasing the appropriated reserve to be available for the anticipated increases. Resolution approving additional appropriation needed)

ACTION: Res. 74-773 adopted approving additional appropriations in Fund 512. (Finance to handle)

MISCELLANEOUS

32. Legislation.

NONE

33. Appointments.

ACTION: Res. 74-774 adopted (Simon/Dunlap, unan. - Kullijian, absent) appointing Leon Zimmerman to replace Caroline Kerr as a member of the Human Rights Commission for a term ending 5/1/76. (Clerk to handle)

34. Matters too late for the agenda.

ACTION: Res. 74-775 adopted (Elliott/Dunlap, unan. - Kullijian, absent) granting Nicholas Pascoe permission to harvest black walnuts on City property. (P & R to handle)

Adjournment at 6:00 P.M.

ATTEST:


W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 10, 1974 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon
Absent: Mayor Davies
(Vice Mayor Simon presided)

Pledge of allegiance to the Flag

Invocation by Reverend Douglas Vander Wall, Christian Reformed Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 6, 7, 8, 9, 14,
Item 5 dropped from agenda 15, 16, 17, 18, 19, 20, 21, 22,
Dunlap/Mensing, unan. - Mayor Davies, 23, 24
absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of September 3, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

BIDS

CONSENT

2. Consider award of contract for the improvement of Coffee Road from Brighton Avenue to Briggsmore Avenue.
(Bids were opened on August 27, 1974. The low bid, submitted by George Reed, Inc., is 14.8% below the Engineer's Estimate and is considered acceptable. Therefore, the Public Works Department recommends that the contract be awarded to George Reed, Inc. Resolution awarding contract needed. Estimated cost \$114,000. (Contract \$98,233.00; Engr. & Contg. \$15,767) Funds are budgeted)

ACTION: Res. 74-776 adopted awarding contract to George Reed, Inc.
(P/W to handle)

CONSENT

3. Consider acceptance of Joe Martin's contract for extension of waterlines in Crows Landing and Whitmore Roads.
(Original contract \$48,624.96. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work needed. Final cost \$50,162.75. Funds are budgeted)

ACTION: Res. 74-777 adopted accepting contract. (Clerk to handle)

CONSENT

4. Consider acceptance of Lee White's contract for improvements on Sylvan Avenue at Sylvan Club.
(Original contract \$7,833.25. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work needed. Final contract, \$7,971.23. Funds are budgeted)

ACTION: Res. 74-778 adopted accepting contract. (Clerk to handle)

5. Consider acceptance of The Flintkote Company's contract for construction of lighting, sidewalks and parking lot at Davis and Downey Parks and street improvements on Crestview and Kruger Drives.
(Original contract, \$117,031.20. All work on this project has been completed to the satisfaction of the Parks Department and the Public Works Department. It would be in order to accept the work as complete and file notice of completion. Resolution accepting work needed. Final cost. \$121,146.09. Funds are budgeted)

DROPPED FROM AGENDA

CONSENT

6. Consider award of contract for grading, concrete construction and paving at Sutter Park.
(Bids were opened September 3, 1974. The low bid submitted by The Flintkote Company, which is 13% under the estimate, is considered acceptable. It is therefore recommended that the contract be awarded to them. Resolution needed. Estimated cost \$66,751. Funds are budgeted)

ACTION: Res. 74-779 adopted awarding contract to The Flintkote Co.
(P/W to handle)

CONSENT

7. Consider award of contract for grading and concrete construction at Woodrow Park.
(Bids were opened September 3, 1974. The low bid submitted by The Flintkote Company, which is 45% under the estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution needed. Estimated cost \$26,550. Funds are budgeted)

ACTION: Res. 74-780 adopted awarding contract to The Flintkote Co.
(P/W to handle)

CONSENT

8. Consider award of contract for grading, concrete construction and paving at Rose Avenue Park.
(Bids were opened September 3, 1974. The low bid submitted by the Flintkote Company, which is 25% under the estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution needed. Estimated cost \$56,969. Funds are budgeted)

ACTION: Res. 74-781 adopted awarding contract to The Flintkote Co.
(P/W to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for construction of waterlines in Lincoln Square No. 2, Poppypatch No. 2, and Wyldewood Estates No. 5.
(Suggested bid opening date September 24, 1974 at 10:00 A.M.
Estimated cost \$61,891.89 (\$45,690; Construction \$16,201.89.
Resolution needed)

ACTION: Res. 74-782 adopted approving plans and specifications and bid call. (Clerk to handle)

HEARINGS

11. Hearing on amendments to Sections 19-3-9 and 30-3-9 of zoning map to rezone and prezone certain properties to conform with the General Plan. (Blue Gum, Carpenter, Kansas) 7:30 P.M.

ACTION: (Councilmember Mensinger was excused due to a possible conflict of interest)

Ord. No. 1384-C.S. introduced (Dunlap/Kullijian, unan. - Mensinger and Mayor Davies, absent) amending Sections 19-3-9 and 30-3-9 of zoning map. (Clerk to handle)

Res. 74-783 adopted (Dunlap/Kullijian, unan. - Mensinger and Mayor Davies, absent) directing Director of Planning to file Notice of Determination re Environmental Impact. (Planning to handle)

12. Hearing on appeal to denial by Planning Commission of request for rezoning of certain properties in the Kansas, Lone Palm, Reno area. 7:30 P.M.

ACTION: Res. 74-784 adopted (Dunlap/Newton, unan. - Mayor Davies, absent) denying appeal, upholding decision of Planning Commission and returning proposed rezoning and/or prezone to Planning Commission with instructions for staff to make an in-depth study of this area. (Planning to handle)

13. Matters for the good of the community. 7:35 P.M.
(These may be presented by interested persons in the audience)

ACTION: Chris Kiriakou, manager of Cablecom General of Modesto, reported that his firm had met the Council's deadlines for new construction and is working to improve the service. He discussed efforts that are being made to improve the transmission of the Council meetings. It was agreed that Cablecom and City staff would continue to work toward this improvement.

ORDINANCES

CONSENT

14. Final adoption of the following ordinances:

(a) Ord. No. 1379-C.S. - amending Section 9-3-9 of zoning map.

ACTION: By motion, Ord. No. 1379-C.S. adopted.

(b) Ord. No. 1380-C.S. - amending Sections 2-4-9, 3-4-9, 34-3-9, and 35-3-9 of zoning map.

ACTION: By motion, Ord. No. 1380-C.S. adopted.

CONSENT

14. Final adoption of the following ordinances (continued)

- (c) Ord. No. 1383-C.S. - amending zoning regulations pertaining to swimming pools.
(Motions approving needed)

ACTION: By motion, Ord. No. 1383-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

15. Consider authorizing City Attorney to file condemnation proceedings to acquire remaining two parcels of rights of way on Briggsmore for the improvement of Briggsmore Avenue between Prescott Road and McHenry Avenue (FAUE-UE-6015-(1)
(Two resolutions authorizing City Attorney to file condemnation proceedings needed)

ACTION: Res. 74-785 adopted authorizing condemnation proceedings for Fargotstein Parcel.

Res. 74-786 adopted authorizing condemnation proceedings for Biddington Parcel. (C/Atty to handle)

CONSENT

16. Consider approval of letter agreement between the City and George Pozas for the payment of an additional \$50 by the City for the cost of relocating a sign on Scenic Drive.
(Copy with agenda. Resolution approving letter agreement needed)

ACTION: Res. 74-787 adopted approving letter agreement. (P/W to handle)

CONSENT

17. Approve agreement between the City of Modesto and Alfred Matthews, Inc., to serve a development on the west side of McHenry Ave.
(The developers have constructed the sanitary sewer at their own expense and the agreement provides that the City will act as agent for the developers in refunding a share of the cost when the adjacent area desires service. No city funds are required. Resolution approving agreement needed)

ACTION: Res. 74-788 adopted approving agreement. (Clerk to handle)

CONSENT

18. Right of Way - Coffee Road, Jennie J. Brouwer.
(Acceptance of grant deed and approval of right of way agreement. Agreement provides for payment of \$912 which, together with the cost of installation of curbs, gutters, and sidewalks, is the amount of the City's appraisal. Resolution accepting grant deed and approving right of way agreement needed. Estimated cost \$912. Funds are budgeted)

ACTION: Res. 74-789 adopted accepting deed and approving agreement.
(Clerk to handle)

CONSENT

19. Support for Law Enforcement EDP Project.
(Request approval to endorse the EDP Implementation Study offered by Region K Criminal Justice Planning Board. Resolution approving participation in an evaluation and feasibility study and resolution approving appropriation transfer of \$750.00 needed. Estimated cost \$750.00)

ACTION: Res. 74-790 adopted approving participation in study. (Police to handle)

CONSENT

19. Support for Law Enforcement EDP Project (continued)

ACTION: Res. 74-791 adopted approving appropriation transfer of \$750.00 from Account 110-22-101 to Account 235-22-101. (Finance to handle)

CONSENT

20. Consider approval of right of way certificate for the improvement of Briggsmore Avenue from Prescott Road to McHenry Avenue, FAUE-UE-6015-(1).
(In order for the State to proceed with the approval of this project, it is necessary for the City to certify that it has acquired all the necessary right of way and to agree to hold the State of California harmless from any liability which may result in the event the right of way is not clear as certified. Resolution approving right of way certificate needed)

ACTION: Res. 74-792 adopted approving right of way certificate. (P/W to handle)

CONSENT

21. Establishing flat rate water service charges to Modesto City Schools. (Water service charges are established on a flat rate basis by resolution to the Modesto City Schools. Sonoma Elementary School at the southwest corner of Sonoma and Orangeburg has just been completed and therefore the proposed resolution includes the flat rate water service charges to this new school. Resolution needed)

ACTION: Res. 74-793 adopted establishing flat rate water service charges for Sonoma School. (Finance to handle)

CONSENT

22. Authorization to conduct public auction on September 21, 1974. (Council approval needed to sell surplus items of the City of Modesto, and items held by the Police Department for six months or longer. Resolution granting approval needed)

ACTION: Res. 74-794 adopted authorizing public auction. (Finance to handle)

REPORTS

CONSENT

23. Presentation of financial statement for August 1974. (Copies of report will be presented at meeting. Motion accepting report needed)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

24. Tentative subdivision map of Sonoma Plaza No. 1 and 2. (On September 3, 1974 the Planning Commission approved the tentative map of the Sonoma Plaza No. 1 and 2 Subdivision and found that said subdivision, together with its design and improvements, is consistent with applicable general and specific plans of the City. The subdivision has been made and a negative declaration has been filed. Resolution making findings needed)

ACTION: Res. 74-795 adopted making findings. (Clerk to handle)

MISCELLANEOUS

25. Appointments.

NONE

26. Matters too late for the agenda.

ACTION: By motion (Mensingher/Newton, unan.) Councilmember Dunlap permitted to attend Sister-City convention in Phoenix, Arizona, the week of September 16.

Vice Mayor Simon commented on the need to proceed as rapidly as possible on the 911 emergency number plans. He suggested that in the event the County does not pursue this quickly, it may be necessary for Modesto to take the lead. The Deputy City Manager reported that a meeting of the technical committee had been held recently and that the members were now waiting for the telephone company to submit necessary information. It was agreed that the City Manager would contact the Chief Administrative Officer of Stanislaus County concerning this.

Adjournment at 9:20 P.M.

ATTEST:


W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, SEPTEMBER 16, 1974 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Simon,
Mayor Davies
Absent: Newton

Pledge of allegiance to the Flag,
Invocation by Reverend Ben Jennings, Prescott Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 8, 9, 10, 11,
Items 12 and 15 removed from consent 13, 14, 17
Mensinger/Simon, unan. - Newton, absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

PRESENTATION

1. Award to Robert Gallo for service on the Modesto Human Rights Commission.

ACTION: Mayor Davies presented the Distinguished Service Award to Mr. Gallo.

APPROVAL OF MINUTES

CONSENT

2. Approval of minutes of September 10, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

BIDS

CONSENT

3. Consider acceptance of the Flintkote Company's contract for construction of lighting, sidewalks and parking lot at Davis and Downey Parks and street improvements on Crestview and Kruger Drives.
(Original contract \$117,031.20. All work on this project has been completed to the satisfaction of the Parks and Public Works Departments. It would be in order to accept the work as complete and to record the notice of completion. Resolution accepting work needed. Final cost \$121,736.89. Funds are budgeted)

ACTION: Res. 74-796 adopted accepting contract. (Clerk to handle)

CONSENT

4. Consider award of contract for the demolition of the building at 1801 H Street, formerly the First Church of the Nazarene. (Bids were opened September 10, 1974 at 10:20 A.M. and the low bid submitted by World Enterprises is 24% under the Engineer's Estimate and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract and resolution approving appropriation transfer of \$11,000 from Reserve for Community Center needed. Estimated cost \$11,000 (Contract \$9,900, Eng. \$1,100)

ACTION: Res. 74-797 adopted awarding contract to World Enterprises. (P/W to handle)

Res. 74-798 adopted approving appropriation transfer of \$11,000 from Account 61-321 to Account 6544-31-321. (Finance to handle)

CONSENT

5. Consider award of contract for Service Yard Paving, Block 435. (Bids were opened September 10, 1974. The low bid submitted by the Flintkote Co., which is 37.5% under the estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$18,968 (Contract \$14,968; Engr. & Contg. \$4,000). Funds are budgeted)

ACTION: Res. 74-799 adopted awarding contract to The Flintkote Co. (P/W to handle)

HEARINGS

6. Hearing, proposed amendment to Section 10-2.301 of zoning regulations relating to names of residential zones. 4:00 P.M.

ACTION: Ord. No. 1385-C.S. introduced (Dunlap/Elliott, unan. - Newton, absent) amending Sec. 10-2.301 of Municipal Code. (Clerk to handle)

7. Matters for the good of the Community. 4:05 P.M.
(These may be presented by interested persons in the audience)

ACTION: Frank Andrews spoke.

ORDINANCES

CONSENT

8. Final adoption of Ord. No. 1382-C.S. - amendment to Section 33-3-9 of zoning map - Morton and 9th St. (Motion adopting needed)

ACTION: By motion, Ord. No. 1382-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

9. Announcement of National League of Cities' Annual Congress of Cities to be held in Houston, Texas, December 1 - 5, 1974. (Copies of the announcement will be distributed to Council members)

NO ACTION

CONSENT

10. Preparation of impartial analysis of Charter Amendment.
(Memo with agenda. Resolution directing City Clerk to transmit copy of amendment to City Attorney needed)

ACTION: Res. 74-800 adopted directing transmission of copy of amendment.
(Clerk to handle)

CONSENT

11. Consider approval of final map of the Capistrano Park No. 2 Subdivision of the City of Modesto and authorize an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.
(The subdivision agreement has been signed and all fees paid. Capistrano Park No. 2 Subdivision is located on the south side of Haddon Avenue east of Riverside Drive. It contains 7.25 acres. Resolution approving final map needed)

ACTION: Res. 74-801 adopted approving final map. (Clerk to handle)

12. Consider approval of variance from standard driveway design for Hahn Center driveways.
(The magnitude of the project and amount of traffic entering and leaving the complex is justification for the variance. Memo with agenda. Resolution approving variance from standard driveway design needed)

ACTION: (Councilmember Dunlap was excused from consideration of this item due to a conflict of interest)

Res. 74-802 adopted (Simon/Kullijian, unan. - Dunlap and Newton, absent) approving variance. (P/W to handle)

CONSENT

13. Letter agreement for relocation of resident on city-acquired property. Memo with agenda. Resolution approving agreement needed. Estimated cost \$2,330.20. Funds are budgeted)

ACTION: Res. 74-803 adopted approving letter agreement with Mrs. Ruby Hill. (Clerk to handle)

CONSENT

14. Consider approval of final map of Carver Village Subdivision of the City of Modesto and authorize an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.
(The subdivision agreement has been signed and all fees paid. Carver Village Subdivision is located on the west side of Carver Road north of Standiford Avenue. It contains 33.128 acres. Resolution approving final map needed)

ACTION: Res. 74-804 adopted approving final map. (Clerk to handle)

15. Resolution approving two agreements with Architect Duane D. Stone for design of Fire Training Center and Fire Station No. 4.
(Memo with agenda. Two resolutions approving agreements needed)

ACTION: Res. 74-805 adopted (Dunlap/Simon, unan. - Newton, absent) approving agreement (Fire Training Center).

Res. 74-806 adopted (Dunlap/Simon, unan. - Newton, absent) approving agreement (Fire Station No. 4). (Clerk to handle)

REPORTS FROM THE PLANNING COMMISSION

16. Recommend addition to Chapter 4, Title IV of the Modesto Municipal Code relating to the division of existing buildings by subdivision or parcel maps.
(Resolution No. 74-157 adopted by the Planning Commission September 3, 1974 with agenda. Introduction of ordinance needed)

ACTION: Ord. No. 1386-C.S. introduced (Elliott/Dunlap, unan. - Newton, absent) adding section to Code. (Clerk to handle)

CONSENT

17. Recommend amendments to Article 3 of Chapter 2 of Title X of the Modesto Municipal Code (Enforcement)
(On September 3, 1974 the Planning Commission adopted a resolution recommending to the Council amendments to Article 3 of Chapter 2 of Title X of the Modesto Municipal Code relating to enforcement of the zoning regulations by the Chief Building Official. Resolution setting October 7, 1974 at 4:00 P.M. for public hearing needed)

ACTION: Res. 74-807 adopted setting hearing. (Clerk to handle)

18. City initiation of closure of streets intersecting Briggsmore Ave.
(Memo with agenda. Three motions needed: Staff to proceed with closures; agreement as to possible types of closure design; preliminary determination of extent of City cost participation)

ACTION: By motion (Dunlap/Kullijian, unan.) planning staff directed to arrange meetings with persons who will be affected by the proposed closures and report to Council as to their views.
(Planning to handle)

By motion (Dunlap/Simon, unan.) staff directed to prepare closure design that could be installed for about \$1,500 and present design to Council for consideration. (Planning to handle)

MISCELLANEOUS

19. Appointments.

NONE

20. Matters too late for the agenda.

NONE

21. The Council retired to executive session at 5:40 P.M. to consider litigation regarding Modesto Cemetery Association. It was announced that the Council would not return to open session.

Adjournment at 5:40 P.M.

ATTEST:

W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

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MINUTES AND ACTION AGENDA

MODESTO CITY COUNCIL

AGENDA FOR COUNCIL MEETING OF MONDAY, SEPTEMBER 23, 1974 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Mayor Davies
Absent: Simon

Pledge of allegiance to the Flag.

Invocation by Reverend Harold Knowles, Central Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 4, 5, 6, 8, 13, 14,
Item 27 removed from consent 15, 16, 17, 18, 20, 21, 22, 23,
Dunlap/Newton, unan. - Simon, absent 24, 25, 26,

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of September 16, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Resignation of Mrs. Clarkson Bradford from Modesto Bicentennial Committee.
(Resolution accepting resignation needed)

ACTION: Res. 74-808 adopted accepting resignation. (Clerk to handle)

3. Petition protesting "no Parking" zones on El Vista at Miller and Encina.
(Residents of area will be at meeting)

ACTION: By motion (Mensinger/Dunlap, unan.) staff directed to retain present system for the time being but to study possible alternatives and notify residents of area when report is made to Council.
(P & T to handle)

BIDS

CONSENT

4. Consider acceptance of Flintkote Company's contract for asphalt concrete surfacing of alleys, Project No. 1.
(Original contract \$24,586.10. All work has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work and file the notice of completion. Resolution accepting work needed. Final cost \$21,849.97. Funds are budgeted)

ACTION: Res. 74-809 adopted accepting contract. (Clerk to handle)

CONSENT

5. Consider award of contract for construction of waterlines in Carver Village.
(Bids were opened September 17, 1974. The low bid submitted by Robco Construction Co., which is 5% below the estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution needed. Estimated cost \$63,870.20. Funds are budgeted)

ACTION: Res. 74-810 adopted awarding contract to Robco Construction Co. (Clerk to handle)

CONSENT

6. Consider award of contract for construction of subtrunk sewer in Carver Road.
(Bids were opened September 17, 1974. The low bid submitted by W. M. Lyles, which is 11% below the estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract and resolution approving appropriation transfer of \$15,000 needed. Estimated cost \$164,949 (\$149,949, Cont.; \$15,000, Eng. & Insp. & Cont.) Funds are budgeted)

ACTION: Res. 74-811 adopted awarding contract to W. M. Lyles.
(P/W to handle)

Res. 74-812 adopted approving appropriation transfer of \$15,000 from Account 60-212 to Account 6561-212. (Finance to handle)

7. Approve plans and specifications and call for bids for the improvement of Briggsmore Ave. from Prescott Road to McHenry Ave.
(Project FAUE No. UE-6015-(1). Bid opening, October 29, 1974 at 2:00 P.M. Briggsmore Ave. is part of the City's major street system and is being constructed as part of an existing east-west expressway. The State of California has agreed to share \$348,000 of the total cost of the project. Resolution approving plans and specifications and call for bids needed. Total cost \$1,138,000. (Contract \$1,010,853; Eng & Contg. \$127,147. Funds are budgeted)

ACTION: No action to be taken until State approves.

CONSENT

8. Consider rejecting all bids received on August 27, 1974 and approving call for new bids to be opened October 15, 1974 at 2:00 P.M. for furnishing two four-wheel diesel powered bucket loaders.
(Memo with agenda. Resolution rejecting all bids received August 27, 1974 and resolution approving new call for bids needed)

ACTION: Res. 74-813 adopted rejecting all bids opened August 27, 1974 at 2:00 P.M.

Res. 74-813-A adopted approving new bid call. (Clerk to handle)

HEARINGS

9. Hearing, amendment to Section 4-4-9 of zoning map to make zoning consistent with Modesto Urban General Plan. (Flores Ave. Area) 7:30 P.M.

ACTION: Ord. No. 1387-C.S. introduced (Dunlap/Newton, unan. - Simon, absent) rezoning area to M-1. (Clerk to handle)

Res. 74-814 adopted (Dunlap/Newton, unan. - Simon, absent) directing Director of Planning to file Notice re environmental impact. (Planning to handle)

10. Hearing, amendment to Section 13-3-8 of zoning map to make the zoning consistent with Modesto Urban Area General Plan. (Portion of northwest corner of Earl and Strivens)

7:35 P.M.

ACTION: Res. 74-815 adopted (Dunlap/Elliott, unan. - Simon, absent) denying R-2 zoning and referring back to Planning Commission for study of R-3 zoning for area. (Planning to handle)

Res. 74-815-A adopted (Dunlap/Elliott, unan. - Simon, absent) directing Director of Planning to file Notice re environmental impact. (Planning to handle)

11. Hearing, amendment to Section 15-3-9 and 16-3-9 of zoning map to rezone properties on the southwest and northeast corners of Floyd and Coffee. 7:40 P.M.

ACTION: Ord. No. 1388-C.S. introduced (Elliott/Dunlap, unan.-Simon, absent) rezoning area to C-1. (Clerk to handle)

Res. 74-816 adopted (Elliott/Dunlap, unan. - Simon, absent) directing Director of Planning to file Notice re environmental impact. (Planning to handle)

12. Matters for the good of the community. 7:45 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

CONSENT

13. Final adoption of the following ordinances:

- (a) Ord. No. 1384-C.S. amending Sections 19-3-9 and 30-3-9 of the zoning map.

ACTION: By motion, Ord. No. 1384-C.S. adopted.

- (b) Ord. No. 1385-C.S. - names of residential zones.

ACTION: By motion, Ord. No. 1385-C.S. adopted.

- (c) Ord. No. 1386-C.S. - division of existing buildings.
(Motions adopting needed)

ACTION: By motion, Ord. No. 1386-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

14. Lease agreement, Hillery Volkswagen, Old Corporation Yard.
(Memo with agenda. Resolution approving lease agreement needed)

ACTION: Res. 74-817 adopted approving lease agreement. (Clerk to handle)

CONSENT

15. Consider approval of sale of shed at 2909 River Road to Mrs. Carole Lyons for \$45.00.
(Memo with agenda. Resolution authorizing sale needed)

ACTION: Res. 74-818 adopted authorizing sale subject to removal of building within thirty (30) days. (Clerk to handle)

CONSENT

16. Consider proposal of Mr. Thomas Fontana, Jr., to harvest walnuts on city property.
(A letter has been received from Mr. Thomas Fontana, Jr., offering to harvest walnuts from city-owned property located at Dryden Park Municipal Golf Course, Roosevelt Park, at City Pump Station No. 14 on Virginia Ave., the City Pump Station on Emerald Ave., in the small parcel purchased by the City from the State on the south side of Tuolumne River near 9th St. bridge approach, and the Mancini Park property at 1204 River Road. He proposes to complete the harvest and pay to the City by November 20, 1974 35% of the gross revenue for the crop. He harvested the walnuts in 1973 and paid the City \$72.05. Resolution approving needed)

ACTION: Res. 74-819 adopted approving proposal. (P & R to handle)

CONSENT

17. Consider proposal of Mr. M. E. Grover, 2501 East Hatch Road, Modesto, California to harvest olives in Mellis Park.
(A letter has been received from M. E. Grover offering to harvest olives in Mellis Park. He proposes to pay the City \$2.00 per 50 pound box. Mr. Grover harvested the olives in 1973 and paid \$250.00 to the City for the crop. Resolution approving needed)

ACTION: Res. 74-820 adopted approving proposal. (P & R to handle)

CONSENT

18. Consider proposal of Vivian Murrell, 1209 Symphony Way, Modesto, to harvest almonds on City property.
(A letter has been received from Vivian Murrell offering to harvest almonds from Mancini Park, 1204 River Road. She proposes to complete the harvest and pay to the City by November 20, 1974 35% of the gross revenue from the crop. Resolution approving needed)

ACTION: Res. 74-821 adopted approving proposal. (P & R to handle)

19. Request for League of California Cities for names of voting delegate and alternate at the annual conference in Los Angeles, October 20-23, 1974.
(Copies of memo from League Office with agenda. Motion designating voting delegate and alternate needed)

ACTION: By motion (Mensing/elliott, unan.) Mayor Davies appointed voting delegate and Councilmember Dunlap alternate. (C/Mgr to handle)

CONSENT

20. Consider request for sewer service to property at 1749 Crows Landing Road, located on the west side of Crows Landing Road between Butte Avenue and Colusa Ave.
(Property owners Willie and Gladys Owens have signed an agreement with the City to annex when requested to do so. The property is contiguous to the city limits; however, a sewer line must be extended to serve it. This extension has been approved by Council resolution 74-675. Resolution approving agreement needed)

ACTION: Res. 74-822 adopted approving agreement. (Clerk to handle)

CONSENT

21. Consider waiver of penalty for late semiannual payment by Modesto Reds Baseball Club.
(Memo with agenda. Resolution approving request for waiver of penalty needed)

ACTION: Res. 74-823 adopted approving request for waiver of penalty. (Finance to handle)

CONSENT

22. Request by City Attorney for permission to attend the 1974 National Institute of Municipal Law Officers Conference in San Diego, California, October 6 - 9, 1974.
(Funds are budgeted. Motion approving request needed)

ACTION: By motion, request approved.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

23. Recommend amendment to Section 16-3-9 of zoning map.
(Commission initiated)
(On September 17, 1974 the Planning Commission adopted Resolution No. 74-161 recommending amendment to Section 16-3-9 of the zoning map to prezone to R-3 property at the northwest corner of Floyd and Coffee in order to make zoning and pre zoning consistent with the Modesto Urban Area General Plan. Map of proposed pre zoning attached to resolution with agenda. Resolution setting October 15, 1974 at 4:00 P.M. for public hearing needed)

ACTION: Res. 74-824 adopted setting hearing. (Clerk to handle)

CONSENT

24. Recommend amendment to Section 11-3-8 of zoning map (Norman Winsor)
(On September 17, 1974 the Planning Commission adopted Resolution No. 74-164 recommending an amendment to Section 11-3-8 of the zoning map to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, property located on the west side of Dale Road approximately 660 feet south of Snyder Avenue. Resolution setting October 15, 1974 at 4:05 P.M. for public hearing needed)

ACTION: Res. 74-825 adopted setting hearing. (Clerk to handle)

CONSENT

25. Recommend amendment to Section 8-3-9 of the zoning map. (Dan Mellis Liquors)
(On September 17, 1974 the Planning Commission adopted Resolution No. 74-165 recommending an amendment to Section 8-3-9 of the zoning map to reclassify from Exclusive Agricultural and Recreational Zone, A-R, to Highway Frontage Zone, H-1, property located in the northwest corner of McHenry Ave. and Standiford Ave. Resolution setting October 15, 1974 at 4:10 P.M. for public hearing needed)

ACTION: Res. 74-826 adopted setting hearing. (Clerk to handle)

CONSENT

26. Recommend amendment to Section 15-3-9 of zoning map. (Commission Initiated)
(On September 17, 1974 the Planning Commission adopted Resolution No. 74-162 recommending amendment to Section 15-3-9 of the zoning map to prezone to R-3, property located at the southwest corner of Oakdale Road and Floyd Avenue in order to make the zoning on said property consistent with the Modesto Urban Area General Plan. Map of proposed pre zoning attached to resolution with agenda. Resolution setting October 15, 1974 at 4:15 P.M. for public hearing needed)

ACTION: Res. 74-827 adopted setting hearing. (Clerk to handle)

27. National Flood Insurance Program application package.
(Memo with agenda. Approval of two resolutions (draft with memo)
needed. Cost, none)

ACTION: Res. 74-828 adopted (Elliott/Kullijian, unan. - Dunlap and
Simon, absent) authorizing application to HUD for flood in-
surance eligibility.

Res. 74-829 adopted (Elliott/Kullijian, unan. - Dunlap and
Simon, absent) highlighting City's building permit system.
(Planning to handle)

(Councilmember Dunlap was excused from consideration of this
item due to a possible conflict of interest)

MISCELLANEOUS

28. Appointments.

ACTION: Res. 74-830 adopted (Newton/Mensing, unan. - Simon, absent)
reappointing Bea Jones and appointing Barbara Manrique (replacing
Julius Manrique) as members of the Human Rights Commission for
terms ending May 1, 1977. (Clerk to handle)

29. Matters too late for the agenda.

ACTION: It was suggested that the sound monitoring equipment be used
to check cars and motorbikes.

The Council retired to executive session at 9:05 P.M. to discuss the
cemetery litigation with the announcement that they would not return to
open meeting.

Adjournment at 9:05 P.M.

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

MODESTO CITY COUNCIL

AGENDA FOR COUNCIL MEETING OF MONDAY, OCTOBER 7, 1974 AT 4:00 P.M.

Roll Call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon, Mayor Davies.

Absent: None
(Councilman Newton arrived at 4:15 P.M.)

Pledge of allegiance to the Flag.

Invocation: Reverend Willard Hall, Central Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 6, 7, 8, 10, 11, 12, 13, 14, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, 36, 37, 38, 39, 40, 42, 43, 44
Dunlap/Mensinger, unan., Newton, absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

PRESENTATION

1. Presentation by the Women's Council of the Board of Realtors of a \$250 check to be used toward landscaping the mini parks located near L and Needham Streets,

ACTION: Mrs. Patricia Christensen, Past President, Women's Council, Modesto Board of Realtors, presented the check and was thanked by Mayor Davies on behalf of the Council and the City of Modesto.

APPROVAL OF MINUTES

CONSENT

2. Minutes of September 23, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

3. Request of Marion Vollmer for use of lower level parking lot at City Hall from 7:00 P.M. to 9:00 P.M. on Wednesday and Thursday nights for dog training classes.
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 74-831 adopted approving agreement. (Clerk to handle)

CONSENT

4. Request of Downtown Improvement District for closure of 10th St. between J and K and K and L Streets on October 11 and 12 for special showing of 1975 automobiles and for permission to conduct Fall Sidewalk Sale October 10, 11, and 12.
(Memo with agenda. Resolution granting request needed)

ACTION: Res. 74-832 adopted approving closure and sidewalk sale.
(Clerk to handle)

5. Petition requesting that Modesto City-County Airport be named Harry Sham Field.

ACTION: Res. 74-833 adopted (Simon/Elliott, unan.) approving name of Modesto City-County Airport - Harry Sham Field. (P/W to handle)

CONSENT

6. Request of Tuolumne River Regional Park Committee Chairman for approval of agreement with John C. Sue and Associates for development of a master plan for approximately 70 acres of the park and a study of special water features.
(Resolution approving agreement needed)

ACTION: Res. 74-834 adopted approving agreement. (Clerk to handle)

7. Request of Domie Santellan to replace city tree with tree to his liking at 1536 Sheldon Drive.

ACTION: By motion (Kullijian/Dunlap, unan.) request denied.

CONSENT

8. Request of Greater Modesto Chamber of Commerce for payment of \$15,000 budgeted for 1974-75.
(Motion granting request needed)

ACTION: By motion, payment authorized. (Finance to handle)

BIDS

CONSENT

9. Authorize purchase of one offset duplicating machine.
(Memo with agenda. Resolution authorizing purchase needed.
Estimated cost \$8,018.72. Funds are budgeted)

ACTION: Res. 74-835 adopted authorizing purchase of one A. B. Dick 360 CD duplicator. (Finance to handle)

CONSENT

10. Consider award of contract for construction of water lines in Lincoln Square No. 2, Poppypatch No. 2, and Wyldewood Estates No. 5.
(Bids were opened September 24, 1974 at 10:00 A.M. The low bid submitted by Joe Martin, which is 13% under the estimate, is considered acceptable. It is therefore recommended that the contract be awarded to them. Resolution needed. Estimated cost \$36,509.25. Funds are budgeted)

ACTION: Res. 836 adopted awarding contract to Joe Martin. (P/W to handle)

11. Award contract for construction of traffic signals and street lights at G and 12th to Industrial Electrical Co.
(Low bid of \$11,725 from Industrial is 2.3% lower than the estimate. Total project, including engineering, inspection, and relocating the existing flashing beacon is budgeted at \$16,000. Resolution awarding contract to Industrial Electrical Co. needed. Estimated cost is \$16,000. Funds are budgeted).

ACTION: Res. 74-837 adopted awarding contract to Industrial Electrical Co.
(P & T to handle)

CONSENT

12. Consider approval of plans and specifications and call for bids for construction of water line in Keller Street.
(Suggested bid opening date October 22, 1974 at 11:00 A.M. This project has been budgeted as a waterline strengthening project. Resolution needed. Estimated cost \$14,087.30 (\$10,080 const.; \$4,007.30 Matl & Eng.) Funds are budgeted)

ACTION: Res. 74-838 adopted approving plans, specifications and bid call.
(Clerk to handle)

CONSENT

13. Approve plans and specifications and call for bids for improvement of Briggsmore Ave. from Prescott Road to McHenry Ave., Project FAUE-No. UE-6015(1).
(Bid opening November 5, 1974 at 11:00 A.M. Briggsmore Ave. is part of an existing east-west express way. The State of California has agreed to share \$348,000 of the total cost of the project. Resolution approving bid call needed. Total cost \$1,138,000; contract, \$1,010,853; (Engineering & Con. \$127,147). Funds are budgeted)

ACTION: Res. 74-839 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

14. Consider acceptance of William Mineni's contract for construction of modifications to Woodland Pump Station.
(Original contract \$18,878. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and file the notice of completion. Resolution accepting work needed. Final cost, contract, \$18,878. Funds are budgeted)

ACTION: Res. 74-840 adopted accepting contract. (Clerk to handle)

HEARINGS

15. Hearing on amendments to Title X of Municipal Code relating to enforcement of zoning regulations by the Chief Building Official. 4:00 P.M.

ACTION: Ord. No. 1389-C.S. introduced (Dunlap/Elliott, Maj. - Kullijian no) amending Title X. (Clerk to handle)

16. Matters for the good of the community. 4:05 P.M.
(These may be presented by interested persons in the audience)

Girl Scout Cadet Troop 581, Ceres, and their leader, Mrs. Greener, were welcomed to the meeting.

ORDINANCES

CONSENT

17. Final adoption of the following:

(a) Ordinance No. 1387-C.S., - amending Section 4-4-9 of zoning map.

ACTION: By motion, Ord. No. 1387-C.S. adopted.

(b) Ordinance No. 1388-C.S. - amending Sections 15-3-9 and 16-3-9 of zoning map.

ACTION: By motion, Ord. No. 1388-C.S. adopted. (Clerk to handle)

CONSENT

18. Introduction of ordinance amending dog licensing regulations.
(Memo with agenda. Motion introducing ordinance needed)

ACTION: Ord. No. 1390-C.S. introduced providing for license period ending June 30. (Clerk to handle)

UNFINISHED BUSINESS

CONSENT

19. Consider granting Arthur Bassard, 35 H Street, sixty days in which to remove building encroaching into public right of way. (Through his attorney, Mr. Bassard has indicated his unwillingness to accept the encroachment permit granted by the Council at its meeting of September 3, and has requested sixty days in which to remove that portion of the building which encroaches into the public right of way. Memo with agenda. Resolution needed)

ACTION: Res. 74-841 adopted granting Mr. Bassard until December 6, 1974 to remove encroachment. (P/W to handle)

20. Further consideration of architectural services - City Hall expansion. (Memo with agenda) tect.

ACTION: By motion (Elliott/Simon, unan.) it was agreed to hire local architect. By motion (Dunlap/Simon, unan.) staff directed to work with Councilman Elliott on selection of architect and to make report and recommendation to Council in two weeks. (C/Mgr. to handle)

CONSENT

NEW BUSINESS

21. Resolution withdrawing Standiford-Carver No. 1 from the Woodland and Salida Fire Districts. (Standiford-Carver No. 1 addition was annexed to the City September 12, 1974. Resolution withdrawing annexation from fire districts needed)

ACTION: Res. 74-842 adopted withdrawing Standiford-Carver No. 1 from Woodland and Salida Fire Protection Districts. (Clerk to handle)

CONSENT

22. A resolution determining that the public interest and convenience require that Standiford-Carver No. 1 Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming time and place of hearing. (This area was annexed to the City of Modesto September 12, 1974 and it is now necessary to annex it to the Modesto Municipal Sewer District No. 1. Suggested hearing date November 25, 1974 at 7:30 P.M. Resolution setting hearing (2/3 affirmative vote) needed)

ACTION: Res. 74-843 adopted setting hearing. (Clerk to handle)

CONSENT

23. Resolution withdrawing North McHenry No. 2 Addition from the Salida Fire District. (This Addition was annexed to the City of Modesto effective October 2, 1974. It is now necessary to withdraw it from the Salida Fire District Resolution needed)

ACTION: Res. 74-844 adopted withdrawing North McHenry No. 2 from Salida Fire District. (Clerk to handle)

CONSENT

24. A resolution determining that the public interest and convenience require that North McHenry No. 2 Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming time and place for hearing. (This area was annexed to the City of Modesto effective October 2, 1974 and it is now necessary to annex it to the Modesto Municipal Sewer District No. 1. Suggested hearing date November 25, 1974 at 7:35 P.M. Resolution setting hearing (2/3 affirmative vote) needed.)

ACTION: Res. 74-845 adopted setting hearing. (Clerk to handle)

CONSENT

25. Federal and State funds allocated to the City of Modesto for the purchase of five portable radios. (To estimate revenue and budget expenditures. Resolution amending the 1974-75 final budget needed)

ACTION: Resolution 74-846 adopted amending 1974-75 final budget. Finance to handle) p.4

CONSENT

26. Disposition of furniture, 816 10th Street.
(Memo with agenda, Resolution approving needed)

ACTION: Res. 74-847 adopted authorizing staff to negotiate for sale of furniture. (C/Mgr. to handle)

CONSENT

27. Letter agreements for relocation of residents on city-acquired property.

(a) Mr. and Mrs. Charles Martin.

ACTION: Res. 74-848 adopted approving agreement with Charles Martin et ux.

(b) Mrs. Lillie Stanton.
(Memo with agenda, Two resolutions approving agreements needed, Estimated cost (a) \$3,860; (b) \$2,572.20; Total, \$6,432.20. Funds are budgeted)

ACTION: Res. 74-849 adopted approving agreement with Mrs. Lillie Stanton.
(Finance to handle)

CONSENT

28. Accept improvements in Wyldewood Estates No. 4 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods, and accept one bond for remaining improvements.

(Wyldewood Estates No. 4 Subdivision is located on the south side of east Orangeburg Avenue west of Oakdale Road. All improvements have been completed to the satisfaction of the Public Works Department, or bonded for satisfactory completion, and all fees have been paid. Letter agreement with agenda. Resolution accepting improvements and resolution approving letter agreement and bond to cover other improvements needed)

ACTION: Res. 74-850 adopted accepting improvements in Wyldewood Estates No. 1 Subdivision.

Res. 74-851 adopted approving agreement and bond. (Clerk to handle)

CONSENT

29. Accept improvements in Sylvan Meadows Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods, and accept one bond for remaining improvements. (Sylvan Meadows Subdivision is located north of Sylvan Avenue and west of Coffee Road. All improvements have been completed to the satisfaction of the Public Works Department, or bonded for satisfactory completion, and all fees have been paid, Letter agreement with agenda. Resolution accepting improvements and resolution approving letter agreement and bond to cover other improvements needed)

ACTION: Res. 74-852 adopted accepting improvements in Sylvan Meadows.

Res. 74-853 adopted approving agreement and bond. (Clerk to handle)

CONSENT

30. Approve installation of temporary traffic signals at the intersection of Briggsmore Ave. and Prescott Road and appropriation transfer of \$1,400.
(Temporary signals are needed as an interim measure to reduce accidents, delays, and congestion at Briggsmore and Prescott. Permanent signals will be installed in about two years. Resolution approving installation of temporary signals and resolution approving appropriation transfer to fund the project needed. Estimated cost \$1,400.)

ACTION: Res. 74-854 adopted approving installation of temporary signals.
(P & T to handle)

Res. 74-855 adopted approving appropriation transfer of \$1,400 from Account 60-101 to Account 5304-56-101. (Finance to handle)

CONSENT

31. Requirement for construction of curbs and gutters and/or sidewalks at the locations listed below. (74/05-01 through 06-02)
(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 4:00 P.M. October 24, 1974 for hearings needed)

- (a) Curb at 215 LaLoma, Block 204 (Richard W. Beall)
- (b) Curb and sidewalk at 1315 LaLoma, a portion of Block 2086-A.
(Brethren; Grace; LaLoma)
- (c) Sidewalk along Miller at 140 Severin Ave., Lot 22 of Block 2125
(William H. Covey)
- (d) Curb and sidewalk along Miller Ave. at 150 San Juan Drive, Lot 8 of Block 2196. (Roger E. Davis)
- (e) Sidewalk along Miller Ave. at 143 Rosina Ave., Lot 1 of Block 2125. (Mildred Goodwill)
- (f) Curb and sidewalk along Miller Ave. at 202 Rowland Ave., Lot 7 and 8 of Block 2088. (Mark T. Hockengail)
- (g) Curb and sidewalk along Miller Ave. at 1851 Miller Ave., Lot 17 of Block 2197. (Herman G. Kanada)
- (h) Curb and sidewalk along LaLoma at 920 LaLoma Ave., a portion of Block 2018. (Jack B. Lamb)
- (i) Curb and sidewalk along Miller Ave. at 1402 Miller Ave., a portion of Block 2087. (Willda A. Peterson)
- (j) Curb and sidewalk along Miller Ave. at 207 San Juan Drive, a portion of Block 2197. (Paul D. Smith)
- (k) Curb and sidewalk along Miller Ave. at 149 Covena Ave., a portion of Block 2087 (Chester Spearing)
- (l) Curb and sidewalk along Encina Ave. at 904 Encina Ave., Lot 13 and N. 15' of 12 of Block 2027. (Charles R. Walker)

CONSENT

31. Curb and gutter and/or sidewalk requirements (continued)

- (m) Curb and sidewalk along Miller Ave. at 147 Phoenix Ave., Lot 9 of Block 2196 (Maggie A. Walker)
- (n) Curb along Haddon Ave. at 225 N. Conejo Ave., Lot 1 of Block 2157. (Margaret G. Wong)

ACTION: Res. 74-856 adopted setting hearings. (P/W to handle)

32. Consider ordinance establishing Oakdale Road Drainage Area and per acreage fee. Consider authorizing staff to prepare plans and specifications for extension of storm drainage trunk line.
(Memo with agenda. Environmental assessment filed September 20, 1974.)
(1) Ordinance establishing Oakdale Road Drainage Area and per acre fee.

ACTION: Ord. 1391.-C.S. introduced (Newton/Dunlap, unan., establishing drainage area and fees. (Clerk to handle)

(2) Motion authorizing staff to prepare plans and specifications.
ACTION: (By motion, staff authorized to prepare plans and specifications, (P/W to handle)

(3) Resolution approving appropriation transfer of \$24,500 from Account 60-321.
ACTION: Res. 74-857 adopted (Newton/Dunlap, unan., approving appropriation transfer of \$24,500 from Account 60-321 to Account 6608-41-321. (Finance to handle)

CONSENT

33. Letter agreement for relocation of resident on city-acquired property, (Mrs. Ethel Phillips)
(Memo with agenda. Resolution approving agreement needed. Estimated cost \$1,615. Funds are budgeted)

ACTION: Resolution 74-858 adopted approving agreement with Mrs. Ethel Phillips. (Finance to handle)

CONSENT

34. Resolution authorizing City to execute standard "Local Agency - State Agreement - Federal Aid No. UE-6015-(1) - Federal Aid to Secondary Roads" in regard to improvement of Briggsmore from Prescott to McHenry.
(This is a standard agreement which specifies State and County responsibilities on the project. Resolution approving agreement needed)

ACTION: Res. 74-859 adopted approving agreement. (Clerk to handle)

CONSENT

35. Resolution approving an amendment of the budgeted Interfund Transfer to the Tuolumne River Park Fund.
(Memo with agenda. Resolution amending budget needed)

ACTION: Res. 74-860 adopted amending budget. (Finance to handle)

CONSENT

36. Right of entry for street construction - Briggsmore Ave., James E. Biddington.
(Memo with agenda. Resolution authorizing City Manager to sign right of entry agreement needed. Funds are budgeted)

ACTION: Resolution 74-861 adopted approving right of entry agreement. (Clerk to handle)

CONSENT

37. Relocation of tenant from Sutter Park - Mr. and Mrs. Gayle. (Letter agreement providing \$360 for relocation allowance and moving expenses, and \$1,984 as a replacement housing payment. (Total, \$2,344) Resolution approving agreement needed. Estimated cost \$2,344. Funds are budgeted)

ACTION: Res. 74-862 adopted approving agreement with Mr. and Mrs. Gayle. (Finance to handle)

CONSENT

38. Agreements between the City and Modesto City School District of Stanislaus County and the City and Sylvan Union School District of Stanislaus County whereby city agrees to operate playgrounds on an afterschool basis to commence on or about October 7, 1974 and to extend to on or about May 30, 1975.

(a) This agreement is similar to the usual agreement which has been entered into previously with the Modesto City Schools whereby City agrees to operate the playgrounds on an afterschool basis and the District to pay City \$9,298 for these services.

ACTION: Res. 74-863 adopted approving agreement. (Clerk to handle)

(b) This agreement is similar to the usual agreement which has been entered into previously with the Sylvan Union School District whereby City agrees to operate the playgrounds on an afterschool basis and District is to pay City \$1,693 for these services. Two resolutions approving agreements needed)

ACTION: Res. 74-864 adopted approving agreement. (Clerk to handle)

CONSENT

39. Consider approval of existing Airport Layout Plan. (An Airport Layout Plan was prepared for the City-County Airport in January 1973. The plan delineates all of the existing facilities plus those that have been approved in the six-year Capital Improvement Program. The plan was approved by FAA in March 1973. The State now requires the approval of this plan by the City Council in order to process applications for State Aid to Airports. Print of layout plan with agenda. Resolution approving plan prepared by staff and approved by FAA needed)

ACTION: Res. 74-865 adopted approving Airport Layout Plan. (P/W to handle)

REPORTS

CONSENT

40. Presentation of annual financial audit and approval of payment for audit. (The fiscal records of the City of Modesto have been audited by Nattinger, Lowry & Company, Certified Public Accountants. Copies of the audit with agenda. Motion accepting audit and authorizing payment needed. Estimated cost \$3,250. Funds budgeted in Account 235-65-101, Independent Audit)

ACTION: By motion audit accepted and payment authorized. (Finance to handle)

41. Report on rock concerts. (Report on survey of other cities regarding rock concerts. Motion directing staff needed)

ACTION: By order of the Chair, staff directed to measure various types of noise and report to Council on how noise levels relate to present ordinance. (P/W to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

42. County referral of open space contracts; Application No. 75-1842, Mrs. Ruth N. P. Smith, northwest corner of Merle and Fine Avenues; Application No. 74-1845, Emery Vlach, northeast corner of North Road and Dakota Avenue, 3949 North Ave.; Application No. 75-1841, Lloyd C. Wissner, 1/4 mile east of Dale Road on the south side of Kiernan Ave.

(Memos attached. Two resolutions expressing recommendation of opposition (Ruth Smith and Lloyd Wissner) and one resolution expressing recommendation of no opposition (Emery Vlach) to the County Board of Supervisors)

ACTION: Res. 74-866 adopted expressing opposition to application No. 75-1841;

Res. 74-866A adopted expressing opposition to application No. 75-1842;

Res. 74-867 adopted expressing no opposition to application No. 74-1845, (Clerk to handle)

CONSENT

43. Fund transfer of \$860 to purchase replacement ticket dispensers for old city hall and Brack-Griffin parking lots.

(Tickets for the present ten-year old dispensers are no longer available. Resolution approving fund transfer needed. Estimated cost \$860)

ACTION: Res. 74-868 adopted approving appropriation transfer of \$860 from Account 60-57-209 to Account/57-209. (Finance to handle)
5402

CONSENT

44. Approve appropriation transfer of \$431 from appropriated reserve to Account 5437-48-512 (Motorcycle).

(To cover cost increase not anticipated at the time of the original budget request. This is for the purchase of a replacement motorcycle to be used by the Police Department. Resolution needed. Estimated cost \$2,400. Balance of funds budgeted)

ACTION: Res. 74-869 adopted approving appropriation transfer of \$431 from Account 60-48-512 to Account 5437-48-512. (Finance to handle)

MISCELLANEOUS

45. Appointments.

ACTION: Res. 74-870 adopted (Kullijian/Dunlap, unan.) appointing Salvadore Morales as a member of the Human Rights Commission to succeed Robert Gallo for a term ending May 1, 1977. (Clerk to handle)

46. Matters too late for the agenda.

ACTION: Res. 74-871 adopted (Elliott/Dunlap, unan.) awarding contract for asphalt concrete surfacing various residential alleys, Project No. 2, to George Reed, Inc. (P/W to handle)

By motion, (Elliott/Simon, unan.) Mayor Davies appointed delegate and Councilmember Dunlap alternate to the National League of Cities Annual Congress of Cities to be held in Houston, Texas, December 1 - 4, 1974. (C/Mgr. to handle)

Adjournment at 6:15 P.M. to 4:00 P.M. on October 15, 1974 to consider any items which would normally be considered at 7:30 P.M. There will be no 7:30 P.M. council meeting.

ATTEST:

W. T. Chynoweth

W. T. CHYNOWETH
City Clerk

MINUTES AND ACTION AGENDA

ADJOURNED REGULAR MEETING
MODESTO CITY COUNCIL

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 15, 1974 at 4:00 PM

Roll call. Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Simon, Mayor Davies
Absent: None
(Councilmember Newton arrived at 4:05 P.M.)

Pledge of allegiance to the Flag
Invocation: Reverend Jack Fix, United Brethren in Christ Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 6, 7, 13,
14, 15, 16, 17, 18, 19, 20,
Dunlap/Kullijian, unan. - Newton, absent. 21, 22, 23, 24, 25, 26, 27, 28,
29

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

PRESENTATION

1. Presentation of Award of Merit by A.A.A. for Pedestrian Safety Program.

Lyle Engeldinger, A.A.A., Traffic Safety Department, presented an Award of Merit to Mayor Davies and Police Chief Ammerman for the City's low rate of pedestrian injuries.

APPROVAL OF MINUTES

- CONSENT
2. Minutes of October 7, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

BIDS

- CONSENT
3. Approve plans and specifications and call for bids for asphalt concrete resurfacing, various city streets 1974-75, Unit No. 1 Select Streets, Unit No. 2 Residential Streets.
(Bid opening October 29, 1974 at 11:10 A.M. This is our yearly program for street overlays, both select and residential streets. Memo with agenda. Resolution approving plans, specifications and bid call needed. Estimated cost \$113,660 (Contract, \$98,834; Engr. & Contg. \$14,826). Funds are budgeted)

ACTION: Res. 74-872 adopted approving plans, specifications and bid call. (Clerk to handle)

- CONSENT
4. Consider approval of plans and specifications and call for bids for construction of picnic area at Marshall Park.
(Suggested bid opening date October 29, 1974 at 11:15 A.M. This project has been budgeted as part of the Marshall Park Development. Resolution needed. Estimated cost \$7,500 (\$7,000, Const., \$500 Engr.)

ACTION: Res. 74-873 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

5. Consider acceptance of George Reed, Inc. contract for Improvement of El Vista from Miller to Edgebrook.
(Original contract \$187,719. All work on this project has been completed to the satisfaction of the County and City Public Works Departments. It would be in order to accept the work as complete and file notice of completion. Resolution accepting work as complete needed. Final cost \$192,815.56. Funds are budgeted)

ACTION: Res. 74-874 adopted accepting contract.
(Clerk to handle)

CONSENT

6. Consider approval of specifications and authorize call for bids to be opened October 29, 1974 at 2:00 P.M. for furnishing two (2) three-wheel vehicles for parks use.
(Resolution needed. Estimated cost \$4,622. Funds are budgeted)

ACTION: Res. 84-875 adopted approving specs and bid call. (Clerk to handle)

CONSENT

7. Consider acceptance of William Mineni's contract for construction of Day Camp at Moose Park.
(Original contract \$32,114. All work on this project has been completed to the satisfaction of the Parks and Public Works Departments. It would be in order to accept the work as complete and file notice of completion. Resolution accepting work as complete needed. Final cost, contract, \$32,325. Funds are budgeted)

ACTION: Res. 74-876 adopted accepting contract. (Clerk to handle)

HEARINGS

8. Hearing on amendment to Section 16-3-9 of zoning map to make zoning consistent with General Plan (Northwest corner of Floyd & Coffee) 4:00 P.M.

ACTION: Res. 74-877 adopted (Elliott/Simon, majority; Dunlap and Davies, no,) denying rezoning. (Clerk to handle)

9. Hearing on amendment to Sec. 11-3-8 of zoning map to reclassify from R-1 to R-2, property located on the west side of Dale Road, approximately 600 feet south of Snyder Ave. 4:05 P.M.

ACTION: Ord. 1392-C.S. (Kullijian/Newton, unan.) introduced rezoning subject property. (Clerk to handle)

Res. 74-878 (Kullijian/Newton, unan.,) adopted, directing Director of Planning to file notice re environmental review.
(Planning to handle)

10. Hearing on amendment to Section 8-3-9 of zoning map to reclassify from A-R to H-1, property on the northwest corner of McHenry & Standiford. 4:10 P.M.

ACTION: Ord. 1393-C.S. (Newton/Elliott, unan.) introduced rezoning subject property. (Clerk to handle)

Res. 74-879 adopted (Newton/Elliott, unan.) directing Director to file notice re environmental review. (Planning to handle)

11. Hearing on amendment to Section 15-3-9 of the zoning map to rezone to R-3, property located at the southwest corner of Oakdale & Floyd. 4:15 P.M.

ACTION: A resolution (Kullijian/Simon) to deny the rezoning failed as Dunlap, Elliott, Mensinger & Davies voted no.

Ord. 1394-C.S. (Dunlap/Mensinger, maj., Kullijian, Newton, Simon, no) introduced rezoning subject property. (Clerk to handle)

Res. 74-880 adopted directing Director of Planning to file notice re environmental review. (Planning to handle)
(Dunlap/Mensinger, maj., Kullijian, Newton, Simon, no)

12. Matters for the good of the community. 4:20 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

CONSENT

13. Final adoption of the following ordinances:

(a) Ord. No. 1389-C.S. - enforcement of zoning regulations.

ACTION: By motion, Ord. No. 1389-C.S. adopted. (Clerk to handle)

(b) Ord. No. 1390-C.S. - relating to dog licensing.

ACTION: By motion, Ord. No. 1390-C.S. adopted. (Clerk to handle)

CONSENT

14. Ordinance adding Section 3-2-1607 to Article 16 of Chapter 2 of Title III of the Modesto Municipal Code relating to parking regulations.

(Memo with agenda. Introduction of ordinance needed)

ACTION: Ord. No. 1395-C.S. introduced. (Clerk to handle)

NEW BUSINESS

CONSENT

15. Communication from Del Este Water Company concerning application for rate increase.
(The City has been notified of Del Este Water Co.'s application for a rate increase. This will affect residents in the City who are served by Del Este Water Co. It is recommended that the letter be filed and staff directed to obtain and review copies of the application and related exhibits. If, after review of the material, action by the City Council is indicated, the matter will be brought back to the Council. Motion ordering letter filed and directing staff to obtain and review copies of application and exhibits needed)

ACTION: By motion, letter ordered filed and staff directed to review application and, if warranted, report to Council. (P/W to handle)

CONSENT

16. Request by City Clerk for vacation on October 24 and 25, 1974.
(Motion granting request needed)

ACTION: By motion, request granted.

CONSENT:

17. Consider request for sewer service to property at 601 Brighton Ave., located on the west side of Brighton Ave. between Irons Court and Scenic Drive.
(Owners Herbert J. and Julie A. Grutzmacher have signed an agreement to annex when requested to do so by City. The property is contiguous to the City and a sewer main exists to serve it. Resolution approving agreement needed)

ACTION: Res. 74-881 adopted approving agreement. (P/W to handle)

CONSENT

18. Consider acceptance of improvements in Havenbrook Park No. 1 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods.
(This subdivision is located on the north side of East Orangeburg Avenue east of Sonoma Avenue. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 74-882 adopted accepting improvements. (Clerk to handle)

- 18A. Consider revised Head Rest budget and request for payment of City contribution.
(Memo from Head Rest with agenda)

ACTION: By motion (Elliott, Dunlap, unan.) further consideration continued to October 24, 1974.

REPORTS

CONSENT

19. Report on PUC order regarding blocking of grade crossings by railroads.
(Report with agenda. Motion introducing ordinance needed)

ACTION: Ord. No. 1396-C.S. introduced repealing Section 3-2-801 of Municipal Code. (Clerk to handle)

CONSENT

20. Report on Pacific Telephone request for rate increase.
(Memo with agenda. Increase amounts to 3.6%. There is no increase in the monthly charge for a single home phone. Motion approving report needed)

ACTION: By motion, report approved.

CONSENT

21. Presentation of financial statement for September 1974 and budget report for first quarter.
(Reports with agenda. Motion accepting reports needed)

ACTION: By motion, reports accepted.

CONSENT

22. Presentation of annual financial report for 1973-74 fiscal year.
(Report will be presented at the meeting. Motion accepting report needed)

ACTION: By motion, report accepted.

CONSENT

23. Report on progress in upgrading and modernizing street lighting system.
(Memo with agenda. Motion accepting report needed)

ACTION: By motion report accepted.

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REPORTS FROM THE PLANNING COMMISSION

CONSENT

24. Uninhabited annexation to the City of Modesto - Tuolumne Regional Park No. 1 Addition.
(The LAF Commission has authorized this annexation without notice or public hearing - September 20, 1974. Resolution approving annexation needed)

ACTION: Res. 74-883 adopted annexing Tuolumne River Regional Park Addition No. 1 to City of Modesto. (Clerk to handle)

Res. No. 74-884 adopted directing Director of Planning to file notice re environmental review. (Planning to handle)

CONSENT

25. Uninhabited annexation to the City of Modesto - Lincoln No. 2 Addition.
(The LAF Commission has authorized this annexation without notice or public hearing - September 20, 1974. Resolution approving annexation needed)

ACTION: Res. 74-885 adopted annexing Lincoln No. 2 Addition to City of Modesto.

Res. 74-886 adopted directing Director of Planning to file notice re environmental review. (Planning to handle)

CONSENT

26. Set date for public hearing for annexation to the City of uninhabited territory - Orangeburg-Lakewood Addition.
(Approved BY LAFC on September 20, 1974. Resolution setting December 2, 1974 at 4:00 P.M. for public hearing needed)

ACTION: Res. 74-887 adopted setting hearing. (Clerk to handle)

CONSENT

27. Set date for public hearing for annexation to the City of uninhabited territory - Orangeburg-Sonoma No. 2 Addition.
(Approved by LAFC on September 20, 1974. Resolution setting December 2, 1974 at 4:05 P.M. for public hearing needed)

ACTION: Res. 74-888 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

28. Appropriation transfer from General Reserve to cover outside printing costs of Vol. I of the Modesto Area 1970 Census Population and Housing Analysis.
(Memo with agenda. Resolution approving needed - \$665)

ACTION: Res. 74-889 adopted approving appropriation transfer of \$665 from Account 60-101 to Acct 235-18-101. (Finance to handle)

CONSENT

29. Resolution transferring \$110 from appropriated reserve to Account 5438-48-512. (Used Diesel Bus)
(Memo with agenda. Resolution approving needed)

ACTION: Res. 74-890 adopted approving appropriation transfer of \$110 from Account 60-512 to Account 5438-48-512. (Finance to handle)

MISCELLANEOUS

30. Appointment.

NONE.

31. Matters too late for the agenda.

(1) By motion (Kullijian/Elliott, unan.) Modesto permitted to join as Amicus Curiae in court action re downzoning at a cost not to exceed \$200. (City Attorney to handle)

(2) By Order of the Chair, staff directed to make a report in two weeks on steps being taken concerning the large number of residential burglaries. (Police to handle)

Adjournment: at 6:30 P.M. to Jack's Restaurant, 1325 McHenry Avenue for the purpose of meeting with staff members of the League of California Cities to discuss the Housing and Community Development Act of 1974.

ATTEST:



W. T. CHYNOWETH
City Clerk

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MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, OCTOBER 21, 1974 AT 7:30 P.M.
(To be adjourned to Thursday, October 24, 1974 at 4:00 P.M.)

Roll call Present: Elliott, Kullijian, Mensinger, Newton, Simon,
Mayor Davies
Absent: Dunlap
(Councilmember Newton arrived at 4:05 P.M.)
(Councilmember Simon arrived at 4:10 P.M.)

Pledge of allegiance to the Flag

Invocation by Reverend Donald Nelson, Centenary Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 8, 9, 11,
Elliott/Mensinger, unan. - Dunlap, 12, 13, 14, 15, 16, 17
Newton, and Simon, absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of October 15, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

BIDS

CONSENT

2. Approval of plans and specifications and call for bids for construction of baseball field lighting at Davis Park.
(Bid opening November 12, 1974 at 11:00 A.M. These improvements have been budgeted as part of the Davis Park development. Resolution needed. Estimated cost \$92,000. Funds are budgeted)

ACTION: Res. 74-891 adopted approving call for bids. (Clerk to handle)

CONSENT

3. Consider acceptance of Western Pipeline's contract for construction of sewer in Beard Brook Park.
(Original contract \$12,862. All work has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and file notice of completion. Resolution accepting work as complete needed. Final cost, contract: \$16,457.92. Funds are budgeted. Resolution approving appropriation transfer of \$400 for balance of funds required.

ACTION: Res. 74-892 adopted accepting work as complete. (Clerk to handle)

Res. 74-893 adopted approving appropriation transfer of \$400 from Account 6322-31-321 to Account 8365-31-321. (Finance to handle)

CONSENT

4. Approve plans and specifications and call for bids for piping of Lateral No. 7, Standiford Road from Dale Road to Veneman Avenue. (Bid opening November 12, 1974 at 11:10 A.M. Memo with agenda. Resolution approving call for bids needed. Estimated cost \$112,300. (Contract \$97,000; Engr. and Contg. \$15,300. Funds are budgeted)

ACTION: Res. 74-894 adopted approving call for bids. (Clerk to handle)

CONSENT

5. Consider declaring J. M. Equipment Company the lowest responsible bidder and authorize purchase of two diesel bucket loaders for \$44,646. (Memo with agenda. Resolution awarding contract to J. M. Equipment Co. and resolution authorizing sale of used loaders to Pure Gro Co. needed. Estimated cost \$38,596. Funds are budgeted)

ACTION: Res. 74-895 adopted awarding contract to J. M. Equipment Co. (Clerk to handle)

Res. 74-896 adopted authorizing sale of used loaders to Pure Gro. Co. (Clerk to handle)

HEARINGS

6. Hearings on requirement for construction of curbs and gutters and/or sidewalks at the locations listed below: 4:00 P.M.
(Project No. 74-05-01 thru 06-02)

(a) Curb at 215 LaLoma, Block 204. (Richard W. Beall)

ACTION: By motion (Mensingher/Elliott, unan. - Dunlap, absent) hearing continued to November 18, 1974 at 4:00 P.M. and staff directed to submit report on parking problems. (P/W to handle)

(b) Curb and sidewalk at 1315 LaLoma, a portion of Block 2086-A. (LaLoma Grace Brethren Church)

(c) Sidewalk along Miller Ave. at 140 Severin Ave., Lot 22 of Block 2125. (William H. Covey)

(d) Curb and sidewalk along Miller Ave. at 150 San Juan Drive, Lot 8 of Block 2196. (Roger E. Davis)

DROP FROM AGENDA - WORK COMPLETED

(e) Sidewalk along Miller Ave. at 143 Rosina Ave., Lot 1 of Block 2125. (Mildred Goodwill)

(f) Curb and sidewalk along Miller Ave. at 202 Rowland Ave., Lot 7 and 8 of Block 2088. (Mark T. Hoekenga II)

(g) Curb and sidewalk along Miller Ave. at 1851 Miller Ave., Lot 17 of Block 2197. (Herman G. Kanada)

(h) Curb and sidewalk along LaLoma at 920 LaLoma Ave., a portion of Block 2018. (Jack B. Lamb)

(i) Curb and sidewalk along Miller Ave. at 1402 Miller Ave., a portion of Block 2087. (Willda A. Peterson)

(j) Curb and sidewalk along Miller Ave. at 207 San Juan Drive, a portion of Block 2197. (Paul D. Smith.)

- (k) Curb and sidewalk along Miller Ave. at 149 Covena Ave., a portion of Block 2087. (Chester Spearing)
- (l) Curb and sidewalk along Encina Ave. at 904 Encina Ave., Lot 13 and N. 15' of 12 of Block 2027. (Charles R. Walker)

ACTION: By motion (Elliott/Mensing, unan. - Dunlap, absent) hearing continued to November 18, 1974 at 4:05 P.M. for report from staff on tree root problems. (P & R to handle)

- (m) Curb and sidewalk along Miller Ave. at 147 Phoenix Ave., Lot 9 of Block 2196. (Maggie A. Walker)
- (n) Curb along Haddon Ave. at 225 N. Conejo Ave., Lot 1 of Block 2157. (Margaret G. Wong)

DROPPED FROM AGENDA - WORK COMPLETED

ACTION: Res. 74-897 adopted (Simon/Newton, unan. - Dunlap, absent) ordering work done, except (a), (d), (l) and (n). (P/W to handle)

NONE

ORDINANCES

CONSENT

8. Final adoption of the following:
(Six motions adopting needed)
- (a) Ord. No. 1391-C.S. - drainage plan, Oakdale Road Area.

ACTION: By motion, Ord. No. 1391-C.S. adopted

- (b) Ord. No. 1392-C.S. - amendment to Sec. 11-3-8 of zoning map.

ACTION: By motion, Ord. No. 1392-C.S. adopted.

- (c) Ord. No. 1393-C.S. - amendment to Sec. 8-3-9 of zoning map

ACTION: By motion, Ord. No. 1393-C.S. adopted.

- (d) Ord. No. 1394-C.S. - amendment to Sec. 15-3-9 of zoning map.

ACTION: By motion, Ord. No. 1394-C.S. adopted.

- (e) Ord. No. 1395-C.S. - parking regulations.

ACTION: By motion, Ord. No. 1395-C.S. adopted.

- (f) Ord. No. 1396-C.S. - trains.

ACTION: By motion, Ord. No. 1396-C.S. adopted. (Clerk to handle)

CONSENT

9. Consider ordinance amending amusement machine regulations.
(Memo with agenda. Introduction of ordinance needed)

ACTION: Ord. No. 1397-C.S. introduced amending amusement machine regulations. (Clerk to handle)

UNFINISHED BUSINESS

10. Further consideration of revised Head Rest budget.

ACTION: Res. 74-898 adopted (Simon/Mensing, unan. - Kullijian and Mayor Davies, no - Dunlap, absent) adopted approving payment of \$20,000 in three increments - two of \$6,667 and one of \$6,666. (Finance to handle)

CONSENT

11. Proposed revision to Personnel Rule 3.4.
(Memo with agenda. Resolution approving adoption of revised personnel rule needed)

ACTION: Res. 74-899 adopted approving revision of Personnel Rule 3.4 relating to salary changes. (Personnel to handle)

CONSENT

12. Acceptance of easement deed for storm drain, Modesto Tallow Company.
(No unusual conditions. Resolution accepting easement deed and contract needed)

ACTION: Res. 74-900 adopted accepting easement deed and approving agreement. (Clerk to handle)

CONSENT

13. Agreement with Modesto Irrigation District for joint use of a portion of MID Lateral No. 7 right of way for the Standiford Road Project.
(The agreement provides for the usual conditions for joint use of the Modesto Irrigation District Lateral rights of way for street purposes. Resolution approving agreement needed)

ACTION: Res. 74-901 adopted approving agreement with M.I.D. for joint use of portion of MID Lateral No. 7 right of way for Standiford Road project. (P/W to handle)

CONSENT

14. Quitclaim deed from Ryan Outdoor Advertising, Inc. for sign, Tocalino property, Crows Landing Road Street improvement.
(Ryan Outdoor Advertising has executed a quitclaim deed for its interests on the Tocalino property and has also signed an agreement. The agreement provides for payment by the City of \$2,725 for relocation of the sign. Resolution accepting quitclaim deed and approving agreement needed. Estimated cost \$2,725.00)

ACTION: Res. 74-902 adopted approving agreement and accepting quitclaim deed. (Clerk to handle)

CONSENT

15. Consider approval of encroachment permit for retaining wall for the new Stanislaus County Administration Building
(Memo with agenda. Resolution granting encroachment permit needed)

ACTION: Res. 74-903 adopted granting encroachment permit for retaining wall, New Stanislaus County Administration building. (Clerk to handle)

CONSENT

16. Letter agreement for relocation of residents on city-acquired property.

- (a) Mrs. Laura Powers, 816 Tenth St., Apt. 7 (Estimated cost \$2,565)

ACTION: Res. 74-904 adopted approving agreement with Mrs. Laura Powers. (Clerk to handle)

- (b) Mr. Harry Hill, 816 Tenth St., Apt. 11. (Estimated cost \$2,563) (Memo with agenda. Two resolutions approving agreements needed. Total cost \$5,128. Funds are budgeted)

ACTION: Res. 74-905 adopted approving agreement with Mr. Harry Hill. (Clerk to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

17. Set date for public hearing for annexation of Spring Creek Addition to City. (uninhabited territory) (Approved by LAFC September 20, 1974. Resolution setting December 16, 1974 at 4:00 P.M. for public hearing needed)

ACTION: Res. 74-906 adopted setting hearing for December 16, 1974 at 4:00 P.M. (Clerk to handle)

18. Consideration of staff report: "Citizen Input in the Decision Making at City Hall." (By motion, direction to staff as to what suggestions to implement needed)

ACTION: The following items were discussed: Publication of briefed agenda in Sunday issue of Modesto Bee; Placing "Matters for the Good of the Community" earlier in the meetings; A system whereby developer and affected neighbors could be brought together to iron out differences before too much economic commitment by the developer; hearing procedures; Placement of agendas on counter in City Hall lobby on Thursday afternoons to make them more readily available to the public.

The City Manager announced that Implementation of the Housing Community and Development Act will involve further consideration of citizen participation.

MISCELLANEOUS

19. Appointments.

ACTION: Res. 74-907 adopted (Mensing/Simon, unan. - Dunlap, absent) appointing Ella Crow a member of the Modesto Bicentennial Committee. (Clerk to handle)

20. Matters too late for the agenda.

ACTION: Mayor Davies was congratulated for election as President of League of California Cities.

By motion (Simon/Elliott, unan. - Dunlap, absent) use of council chambers by State Reclamation Board, Sacramento, on December 19, 1974 from 2:00 to 4:00 P.M. approved. (Clerk to handle)

20. Matters too late for the agenda, continued

ACTION: Res. 74-908 adopted (Simon/Elliott, unan. - Dunlap, absent) setting hearing on appeal of Dr. Warner Soelling on findings of City of Modesto Environmental Assessment re Bomberger property, located at the Northwest corner of Briggsmore Avenue and Oakdale Road, on November 4, 1974 at 4:00 P.M. (Clerk to handle)

Adjourned at 5:45 P.M.

ATTEST: Pauline P. Stanley
PAULINE P. STANLEY, Acting City
Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, OCTOBER 28, 1974 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Simon, Mayor Davies

Absent: None

(Councilmember Newton arrived at 7:35 P.M.)

Pledge of allegiance to the Flag

Invocation by Reverend Theodore Ness, Bethel Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 7, 8, 9, 10,
Simon/Elliott, unan. - Newton, absent 11, 12, 13, 14, 15, 16, 17, 21

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some councilmember or member of the audience 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)

WRITTEN COMMUNICATIONS

CONSENT

1. Letter from Downtown Improvement District requesting City assistance for promotion of the Christmas season.

(a) Use of two hi-ranger trucks and personnel for installation and removal of Christmas decorations.

(b) Use of two parking spaces on 10th Street parking lot next to Hughson Hotel for Santa's house,

(c) Use of two parking spaces on the southwest corner of 10th and K Streets for parking of Forty and Eight locomotive.
(Resolution approving needed)

ACTION: Res. 74-909 adopted granting request. (P & R to handle (a) and P & T to handle (b) and (c).)

2. Letter from Crandle Stiles regarding parking of travel trailer.
(Memo with agenda)

ACTION: By motion (Simon/Dunlap, unan.) Building Inspection staff upheld in decision to not permit 42" high fence within clear vision triangle and in decision to not permit parking of travel trailer closer than 15' from Carver Road street line and in the clear vision triangle. Staff to prepare ordinance clarifying definition of street but not changing distances in Section 10-2.1510 of Code. (C/Atty to handle)

CONSENT

3. Letter from Jared Hawkins requesting that property located at 808 Paradise Road remain zoned C-1.

(Motion referring to Planning Commission needed)

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

BIDS

CONSENT

4. Consider approval of plans and specifications for irrigation and planting Rose Avenue, Sutter, and Woodrow Parks.
(Suggested bid opening date November 19, 1974 at 11:00 A.M. These projects were budgeted as part of the Parks Development to provide landscaping and irrigation. Resolution approving bid call needed. Funds are budgeted)

ACTION: Res. 74-910 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

5. Consider award of contract for construction of waterlines in Keller Street.
(Bids were opened October 22, 1974. The low bid submitted by Valley Construction, which is 3% under the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$9,744.00. Funds are budgeted)

ACTION: Res. 74-911 adopted awarding contract to Valley Construction.
(P/W to handle)

6. Matters for the good of the community. 7:35 P.M.
(These may be presented by interested persons in the audience)

ACTION: Paul LaVine, member of the Farm-City Advisory Committee, was introduced.

Gary Copeland, instructor of TV operations, announced that his group of students had progressed sufficiently to enable them to handle the telecast of the Council meetings without his help.

NEW BUSINESS

CONSENT

7. Notice of P. G. & E. request to increase gas rates.
(Memo with agenda. If approved by P.U.C., rates would go up 19.2% on January 1, 1975 to exactly offset higher gas prices recently established by Canadian government. Motion approving report needed)

ACTION: By motion, report received.
(Councilmember Mensinger pointed out that she had stock in P.G.&E.)

CONSENT

8. Removal of parking meters on the south side of L Street, between 9th and 10th Streets.
(These meters are producing less than \$20 per meter per year, and it is normal Council policy to remove such meters. Ordinance amending the parking meter zoning map, Section 2-3.1501 of the Code needed)

ACTION: Ord. No. 1398-C.S. introduced. (Clerk to handle)

CONSENT

9. Accept pledges for operating Lot 12 - 9th Street between J and K Streets.
(John F. Huber Enterprises, executed a new pledge for \$125 per month for maintenance and repair of the lot. It is expected that another pledge for \$10 per month will be forthcoming, also. Resolution authorizing City Manager to accept pledges needed)

ACTION: Res 74-912 adopted authorizing City Manager to accept pledges.
(P & T to handle)

CONSENT

10. Consider approval of request by City Contractor to use park site for parking equipment and materials during construction.
(Memo with agenda. Motion approving request needed)

ACTION: By motion, W. M. Lyles Co. permitted to use park site at northwest corner of Carver and Cheyenne Way during installation of subtrunk sewer in Carver Road. (P/W to handle)

CONSENT

11. Consider temporary closure of Carver Road between Montclair Drive and Snyder Avenue.
(Memo with agenda, Resolution approving temporary closure needed)

ACTION: Res. 74-913 adopted approving temporary closure of Carver Road subject to conditions recommended by Public Works. (P/W to handle)

CONSENT

12. Amendment to agricultural lease agreement - Henry Goni.
(Amendment provides for lease to terminate October 31, 1975. This is an extension of one year from date of present agreement. Resolution approving amendment to agreement needed)

ACTION: Res. 74-914 adopted approving amendment to agreement. (Clerk to handle)

CONSENT

13. Agreement for joint acquisition of school-park site - Stanislaus Union School District.
(Memo with agenda. Resolution approving agreement needed. Estimated cost \$40,000. Funds are budgeted)

ACTION: Res. 74-915 adopted approving agreement. (Clerk to handle)

CONSENT

14. Modesto City-County Airport runway-taxiway overlay project.
(It is necessary that the City assure the FAA that participating funds will be available for the proposed project. Memo with agenda. Resolution assuring participating funds will be made available needed)

ACTION: Res 74-916 adopted assuring FAA that participating funds will be made available. (P/W to handle)

CONSENT

15. Amendment to agricultural lease agreement - Mr. and Mrs. Hubert W. Scott.
(Amendment provides for lease to terminate October 31, 1975. This is an extension of one year from date of present agreement. Resolution approving amendment to agreement needed)

ACTION: Res. 74-917 adopted approving amendment to agreement. (Clerk to handle)

CONSENT

16. Amendment to agricultural lease agreement - Mr. and Mrs. Arnold C. Dickens.
(Amendment provides for lease to terminate October 31, 1975. This is an extension of one year from date of present agreement. Resolution approving amendment to agreement needed)

ACTION: Res. 74-918 adopted approving amendment to agreement. (Clerk to handle)

CONSENT

17. Amendment to agricultural lease agreement - Mr. and Mrs. Donald H. Scott.
(Amendment provides for lease to terminate October 31, 1975. This is an extension of one year from date of present agreement. Resolution approving amendment to agreement needed)

ACTION: Res. 74-919 adopted approving amendment to agreement. (Clerk to handle)

18. Consider City participation in influenza immunization for city employees.
(Memo with agenda)

ACTION: By motion (Elliott/Kullijian, unan.) approval given to City paying costs of immunization for employees. (Personnel to handle)

REPORTS

19. Report on "Urban Growth Policy Review" by Public Projects Committee.
(Report with agenda)

ACTION: By motion (Dunlap/Elliott, unan.) the following six items approved:

- 1) That there be no extensions of the North, Sonoma, Lake-wood, and Yosemite trunk sewers at this time.
- 2) That staff continue to study both how large a land inventory we need and, if extensions are approved in the future, what the priorities should be between the various trunks.
- 3) That the Council authorize staff to negotiate with consultants for preparation of plans and specifications for the Golf Course Trunk. Staff would return to Council with recommendations for final action and appropriation in fiscal year 1975-76.
- 4) That the Council authorize staff to negotiate with consultants for a project report on the West Trunk. Staff would return to Council with recommendations and for necessary appropriations.
- 5) That staff undertake study of how to encourage development in the west and southwest this upcoming year.
- 6) That due to the newness of our policy and unsettled national economic conditions the Council review trunk sewer extensions again in May 1975.

(P/W to handle 1, 3 and 4 - Planning to handle 2 and 5 - Clerk to handle 6)

20. Report on steps being taken concerning residential burglaries.
(Report with agenda. Motion accepting report needed)

ACTION: By motion (Newton/Kullijian, unan.) report approved.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

21. Recommend amendment to Section 13-3-8 of the zoning map (Commission Initiated).
(On October 15, 1974 the Planning Commission adopted Resolution No. 74-175 recommending amendment to Section 13-3-8 of the zoning map to rezone property at the northwest corner of Conant and Highway 99 in order to make the zoning on said property consistent with the Modesto Urban Area General Plan (map of proposed rezoning attached to resolution with agenda. Resolution setting November 25, 1974 at 7:40 P.M. for hearing needed)

ACTION: Res. 74-920 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

22. Appointments.

NONE

23. Matters too late for the agenda.

ACTION: Res. 74-921 adopted (Dunlap/Elliott, unan.) permitting George Reed, Inc. to substitute Western Pipeline for Viking Engineering as subcontractor on Scenic widening contract. (P/W to handle)

Adjournment at 9:35 P.M. to executive session to discuss the Scelling litigation. It was announced that the Council would not return to open meeting.

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, NOVEMBER 4, 1974 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon,
Mayor Davies

Absent: None

(Councilmember Kullijian arrived at 4:02 P.M.)

(Councilmember Newton arrived at 4:05 P.M.)

(Mayor Davies was excused at 5:45 P.M.)

Pledge of allegiance to the Flag.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 6, 7, 10, 11, 12, 13,
Dunlap/Mensinger, unan. - Kullijian 15, 17, 19, 20, 21, 22, 23, 24
and Newton, absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some councilmember or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of October 24 and 28, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Recommendation of Stanislaus Area Community Council that a Social Needs Advisory Board or Committee be formed to inventory present needs and study possible expanded Social Services. The SACC also requests adoption of a policy concerning use of available resources for social services
(Motion expressing Council's desires needed)

ACTION: By motion (Elliott/Kullijian, unan.) staff directed to prepare a Social Services Element, including housing, to the General Plan.
(C/Mgr to handle)

3. Request for waiver of one-year waiting period for re-application for PD zoning at Oakdale Road and Wylie Drive. (Charles Fenley)
(Motion denying or resolution granting needed)

ACTION: By motion (Elliott/Newton, unan.) further consideration continued to November 12 pending receipt from Planning Commission of recommendation re small business uses in area. (Clerk to handle)

4. Proposed budget for Stanislaus County Bicentennial Committee.

ACTION: By motion (Elliott/Dunlap, unan.) further consideration continued to November 12 to permit representative of committee to appear before Council. (Clerk to handle)

5. Request of garbage companies for study of need for increase in collection rates.

ACTION: By motion (Kullijian/Elliott, unan.) referred to staff for study and report with the possibility that this request may be referred to a committee at that time. (C/Mgr to handle)

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids for replacement of lights at Del Webb Field.
(Suggested Bid Opening Date: November 19, 1974 at 11:10 A.M. The old fixtures have deteriorated, and it is proposed to install new fixtures on the existing poles. The new fixtures will use less electricity and increase the light level on the baseball field. Resolution approving plans, specs and bid call needed. Estimated cost: \$48,000.00 (\$46,000.00 Const. \$2,000.00 Engr.). Funds are partially budgeted. Appropriation transfer will be requested after bids are opened).

ACTION: Res. 74-922 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

7. Consider award of contract for Asphalt Concrete Resurfacing Various City Streets 1974-75, Unit 1 Select Streets, Unit 2 Residential Streets. (Bids were opened October 29, 1974. The low bid submitted by the Flintkote Company is 28.4% below the Engineer's Estimate, and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to The Flintkote Company needed. Estimated cost: \$85,481.35 (Contr. \$70,655.35 Engr. & Contg. \$14,826.00). Funds are budgeted.

ACTION: Res. 74-923 adopted awarding contract to The Flintkote Co. (P/W to handle)

HEARINGS

8. Hearing, appeal of Dr. Soelling on findings of City of Modesto Environmental Assessment Committee re Bomberger property, located at the Northwest corner of Briggsmore Avenue and Oakdale Road. 4:00 P.M.

ACTION: Res. 74-924 adopted (Dunlap/Kullijian, unan.) denying appeal and upholding Environmental Assessment Committee findings. (Clerk to handle)

9. Matters for the good of the community. 4:05 P.M.
(These may be presented by interested persons in the audience)

ACTION: Mayor Davies was excused at 5:45 P.M. and Vice Mayor Simon presided.

Henry George claimed that he had lost certain equipment and that the police knew where it was but would not assist him. It was agreed that Staff would look into the matter.

By motion (Kullijian/Mensing, unan.) approval given to use of three outfield lights at Del Webb Field to light soccer field four nights a week at City expense until a report is made to Council. (P & R to handle)

ORDINANCES

CONSENT

10. Final adoption of the following:
(Two motions adopting needed)

(a) Ord. No. 1397-C.S. (Amusement devices).

ACTION: By motion, Ord. No. 1397-C.S. adopted.

(b) Ord. No. 1398-C.S. (Parking meters)

ACTION: By motion, Ord. No. 1398-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

11. Right-of-way Agreement -- June Freeman Fargotstein, et al -- Briggsmore.
(An agreement has been received from June Freeman Fargotstein, et al for right of way needed from property at the intersection of Prescott and Briggsmore for the Briggsmore Street improvement project. The agreement provides for payment of \$7,650, which is the amount of the City's appraisal. Resolution approving agreement needed. Estimated cost: \$7,650. Funds are budgeted.

ACTION: Res. 74-925 adopted approving agreement. (Clerk to handle)

CONSENT

12. Lease Agreement -- Dominic De Palma -- Dry Creek Park.
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 74-926 adopted approving agreement. (Clerk to handle)

CONSENT

13. Lease Agreement -- Shiguare S. Suzuki -- Needham and Orange.
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 74-927 adopted approving agreement. (Clerk to handle)

14. Possible revision in Route 5 bus (McHenry Village).
(This is the east-west bus route running between Tully and Coffee Roads. It is recommended that the route be modified to include the Coffee-Floyd intersection. The extra cost would be 2.5 gallons of diesel per day, a negligible amount. The route could be revised on November 7, 1974. Motion authorizing the change needed. Estimated cost: \$110 for this fiscal year. Funds are budgeted in Account No. 218-350, Equipment Rental Charges).

ACTION: By motion (Elliott/Kullijian, unan.) change approved.
(P & T to handle)

CONSENT

15. Letter Agreement for Relocation of Resident on City-acquired Property -- Mr. and Mrs. Roy Kessler, 816 - 10th Street, Apartment 4.
(Moving expenses \$300, replacement housing payment \$2,663; total-- \$2,963. (The City is selling to these tenants some furniture for \$43). Resolution approving letter agreement needed. Estimated cost: \$2,963. Funds are budgeted in Account No. 8043-56-321, City Hall Land Acquisition).

ACTION: Res. 74-928 adopted approving letter agreement. (Clerk to handle)

Consider purchase of used bus from General Motors.
(Memo with agenda. Bus is 22-passenger 1971 model for \$21,378.
Resolution waiving formal bid procedure and authorizing purchase
of bus (5 affirmative votes needed). Estimated cost: \$21,378; funds
are budgeted in Account No. 6068, Local Transportation Fund - 205)

ACTION: Res. 74-929 adopted (Kullijian/Newton, unan. - Davies, absent)
waiving formal bid procedure and authorizing purchase. (P & T
to handle)

REPORTS

CONSENT

17. Quarterly report of Greater Modesto Chamber of Commerce.
(Motion accepting report needed)

ACTION: By motion, report accepted.

18. Progress report on the selection of an architect for the City Hall
expansion project.
(Oral report will be made at the meeting).

ACTION: Councilmember Elliott reported that a definite recommendation
will be made to Council on November 12.

CONSENT

19. Sample Inventory of fixed assets.
(Memo and inventory results with agenda. Motion accepting report
needed)

ACTION: By motion, report accepted.

CONSENT

20. Report on response from school districts regarding Neighborhood Youth
Advisor program, and providing financing.
(Report with agenda. The City's share, \$19,924, is to be transferred
from the General Reserve of the General Fund to the Neighborhood
Youth Advisor Fund. Motion approving report; resolution amending the
budget needed. Estimated cost: \$19,924 (City's share). Funds are
budgeted in Account No. 60 (fund 101), General Reserve).

ACTION: By motion, report approved.

Res. 74-930 adopted amending 1974-75 budget. (Finance to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

21. Tentative Subdivision Map of Coffee Terrace No. 4.
(On October 15, 1974, the Planning Commission approved the tentative
map of this Subdivision and found that said subdivision, together
with its design and improvements, is consistent with applicable general
and specific plans of the City. The City Council is required to
make the same findings. An environmental assessment of the subdivision
has been made and a Negative Declaration has been filed. A resolution
making findings needed).

ACTION: Res. 74-931 adopted making findings. (Clerk to handle)

CONSENT

22. Vacation and abandonment of alley in Block 52 of the City of Modesto. (By Resolution No. 74-109, adopted June 18, 1974, the Planning Commission recommended to the City Council the vacation and abandonment of the 20-foot public alley extending between E and F Streets in Block 52 of the City of Modesto. Memo with agenda. Resolution of Intention to Vacate and Abandon and setting November 25, 1974 at 7:45 P.M. for public hearing needed).

ACTION: Res. of Int. 346 (1293-S.P.) adopted setting hearing. (Clerk to handle)

CONSENT

23. Recommend amendment to Section 29-3-9 of the Zoning Map. (Commission Initiated). (On October 15, 1974, the Planning Commission adopted Resolution No. 74-178, recommending amendment to Section 29-3-9 of the Zoning Map to rezone property at the Southwest corner of Stoddard and College Avenues in order to make zoning on said property consistent with the Modesto Urban Area General Plan (map of proposed rezoning attached to resolution with agenda). Resolution setting December 2, 1974 at 4:10 P.M. for public hearing needed).

ACTION: Res. 74-932 adopted setting hearing. (Clerk to handle)

CONSENT

24. Recommend amendment to Section 19-3-9 of the Zoning Map. (Commission Initiated). (On October 15, 1974, the Planning Commission adopted Resolution No. 74-177 recommending amendment to Section 19-3-9 of the Zoning Map to rezone property at the Southeast corner of Clayton Avenue and Ninth Street in order to make zoning on said property consistent with the Modesto Urban Area General Plan (map of proposed rezoning attached to resolution with agenda). Resolution setting December 2, 1974 at 4:15 P.M. for public hearing needed).

ACTION: Res. 74-933 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

25. Appointments.

NONE

26. Matters too late for the agenda.

ACTION: The Council was reminded of the annual Legion dinner to be held November 11.

By motion (Kullijian/Elliott, unan.) request of Stanislaus Union and Sylvan Union School Districts for assurance as to alignment of Longbridge Drive referred to Planning Commission. (Planning to handle)

It was reported that nominations for "Young Americans for Bravery" must be in the Governor's office by December 6 and that the Mayor's office would assist anyone wishing to make a nomination.

Councilmember Mensinger reported on her appearance before the Los Angeles City Council in opposition to Proposition 17.

Adjournment at 6:20 P.M.

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 12, 1974 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton, Simon,
Mayor Davies
Absent: None

Pledge of allegiance to the Flag.

Invocation by Reverend Harold Knowles, Central Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 5, 6, 7, 8, 9, 10,
Dunlap/Mensinger, unan. 11, 12, 13, 14, 18, 19, 20, 21,
22, 23, 24

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

CONSENT

1. Confirmation of canvass of ballots, North Tully No. 1 Addition annexation election held November 5, 1974.
(Ballots for this election will be canvassed on November 8, 1974 by the City Clerk. Unofficial results are as follows: Number of registered voters in area - 38; number of persons voting - 13. Number of no votes - 0. Resolution confirming canvass and declaring results of election and ordinance annexing area needed)

ACTION: Res. 74-934 adopted confirming canvass of votes.

Res. 74-934-A adopted directing Director of Planning to File Notice re Environmental Impact.

Ord. No. 1399-C,S. adopted annexing North Tully No. 1 Addition to City of Modesto. (Clerk to handle)

APPROVAL OF MINUTES

CONSENT

2. Minutes of November 4, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

3. Claim of Barrios Gonzales, et al.
(As the claim is insufficient in certain areas, a motion authorizing the City Clerk to notify the claimants of the insufficiency would be in order.)

ACTION: (Councilmember Simon was excused from consideration of this item due to a conflict of interest)

By motion (Kullijian/Elliott, unan.) Clerk authorized to give notification. (Clerk to handle)

4. Request of residents in 1900 block of Rockford Avenue for a new dry well on north side of street.

ACTION: It was agreed that staff would monitor this area carefully and if a new dry well seems to be needed one will be drilled. (P/W to handle)

CONSENT

5. Consider declaring Totten Equipment Company, Inc. the lowest responsible bidder for furnishing two (2) three-wheeled vehicles and authorizing purchase.
(Memo with agenda. Resolution needed. Estimated cost \$4,630. Funds are budgeted)

ACTION: Res. 74-935 adopted awarding contract to Totten Equipment Co., Inc. (Finance to handle)

CONSENT

6. Consider acceptance of George Reed, Inc.'s contract for asphalt concrete surfacing various residential alleys, Project No. 2.
(Original contract \$26,385. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and file the notice of completion. Resolution accepting work as complete needed. Final cost contract, \$29,924. Funds are budgeted)

ACTION: Res. 74-936 adopted accepting contract. (Clerk to handle)

CONSENT

7. Consider acceptance of Robco Construction Co.'s contract for construction of waterlines in Romano Estates No. 1.
(Original contract \$11,418.15. All work on this project has been completed to the satisfaction of the Public Works Department. 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 contract cost \$12,469.37. Funds are budgeted)

ACTION: Res. 74-937 adopted accepting contract. (Clerk to handle)

CONSENT

8. Consider acceptance of Matteson Construction Co.'s contract for Suzuki wall removal and replacement.
(Original contract \$11,177. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final cost, contract, \$11,177. Funds are budgeted)

ACTION: Res. 74-938 adopted accepting contract. (Clerk to handle)

CONSENT

9. Consider acceptance of Joe Martin's contract for construction of waterlines in Barium Road, Sylvan Meadows East #1, and Wesson Estates No. 1.
(Original contract \$54,397. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final contract cost, \$54,713.40. Funds are budgeted)

ACTION: Res. 74-939 adopted accepting contract. (Clerk to handle)

CONSENT

10. Consider acceptance of Joe Martin's contract for construction of waterlines in McHenry Estates No. 4 and North Hampton Park No. 2. (Original contract \$39,025.25. All work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final contract cost \$37,888.65. Funds are budgeted)

ACTION: Res. 74-940 adopted accepting contract. (Clerk to handle)

CONSENT

11. Consider acceptance of Flintkote Company, Inc.'s contract for paving of service yard, Block 435. (Original contract \$14,968. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and file notice of completion. Resolution accepting work as complete needed. Final contract cost, \$16,140.93. Funds are budgeted)

ACTION: Res. 74-941 adopted accepting contract. (Clerk to handle)

CONSENT

12. Consider approval of plans and specifications and call for bids for construction of waterlines in Veneman Avenue. (Suggested bid opening November 26, 1974 at 11:00 A.M. This waterline is needed to provide initial water service for the Hahn development. Resolution approving plans, specifications and call for bids needed. Estimated cost \$63,146.90. (\$58,135.00, construction; Matl. \$5,011.90.) Funds are budgeted)

ACTION: Res. 74-942 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

13. Consider award of contract for construction of city streets in Modesto, California, on Briggsmore Avenue from Prescott Road to McHenry Ave. (Bids were opened November 5, 1974. Resolution awarding contract needed. Total cost \$1,023,638. (Contract \$896,491; Engr/Contg. \$127,147. Funds are budgeted)

ACTION: Res. 74-943 adopted awarding contract to Teichert Construction. (P/W to handle)

CONSENT

14. Consider rejecting bid for construction of picnic area at Marshall Park. (Bids were opened October 29, 1974. Only one bid was received, which was from Matteson Construction Co., and was 38% above the Engineer's Estimate. After a review of the Engineer's Estimate, it is the opinion of staff that the estimating prices used are adequate to cover the construction costs. It is therefore recommended that the bid be rejected and the project be readvertised. Resolution rejecting bid needed. Funds are budgeted. Memo with agenda.)

ACTION: Res. 74-944 adopted rejecting bid of Matteson Construction Co. (Clerk to handle)

HEARINGS

15. Matters for the good of the community. 7:30 P.M.
(These may be presented by interested persons in the audience)

ACTION: Mrs. Gotshall, Assistant Vice Principal, and Mrs. Speck, Government teacher, Downey High School, were introduced. They attended the meeting with the 6th period government class.

By motion (Kullijian/Newton, unan.) request of St. Paul's Episcopal Church for assistance in obtaining permission for 4 x 8' sign referred to staff for inclusion in study to be made concerning possible sign ordinance revisions. (Planning to handle)

UNFINISHED BUSINESS

16. Further consideration of proposed budget for Stanislaus County Bicentennial Committee.

ACTION: By motion (Simon/Dunlap, unan.) budget approved.

Res. 74-945 adopted (Simon/Dunlap, unan.) approving appropriation transfer of \$4,500 from Account 60-101. (Finance to handle)

17. Recommendation of architect for City Hall expansion project.

ACTION: By motion (Elliott/Kullijian, unan.) staff directed to enter into negotiations with the firm of Morgan & Jacobsen for architectural services for City Hall expansion. (C/Mgr to handle)

NEW BUSINESS

CONSENT

18. Report of Superintendent of Streets on the cost of alley resurfacing at the locations listed below:
(9 resolutions setting 7:30 P.M. on December 9, 1974, for hearings needed. Contract costs listed below with properties. Funds budgeted in Account No. 5301-41-321, Alley improvements)

BLOCK 6127

- (a) John J. & Louise Pavlosky, 519 Bermuda Way, Lot 18 - \$133.56.
- (b) George P. & Angelina Katsufrakis, 513 Bermuda Way, Lot 17 - \$126.72
- (c) Robert O. & Donna R. Brook, 507 Bermuda Way, Lot 16 - \$126.72.
- (d) Alfred C. & Marguerite Hackbarth, 501 Bermuda Way, Lot 15 - \$126.72
- (e) Vernon F. & Dorothy E. Morgan, 445 Bermuda Way, Lot 14 - \$126.72.
- (f) Wesley E. & Margaret C. Kipena, 439 Bermuda Way, Lot 13 - \$126.72.
- (g) Wesley & Margaret C. Kipena, 439 Bermuda Way, Lot 12 - \$126.72.
- (h) Lawrence S. & Diana L. Smith, 427 Bermuda Way, Lot 11 - \$126.72.
- (i) Joseph A. & Rita M. Caldeira, 1515 Sherwood Ave., Lot 10 - \$126.72.
- (j) Alfredo K. & Trinidad P. Garza, P. O. Box 356, Del Rey, CA., Lot 9 \$126.72.
- (k) Marjorie Keeney O'Day, P. O. Box 2122, Napa, CA., Lot 8 - \$126.72.

BLOCK 6127

- (l) Joseph C. Berchtold, 432 Catalina Way, Lot 7 - \$126.72.
- (m) Robert C. Lukins, 438 Catalina Way, Lot 6 - \$126.72.
- (n) Billy G. & Wanda L. Ray, 444 Catalina Way, Lot 5 - \$126.72.
- (o) Herman C. & Alice J. House, 1234 "O" Street, Livingston, CA., Lot 4 - \$126.72.
- (p) George E. & Rosemary Zimmerman, 506 Catalina Way, Lot 3 - \$126.72.
- (q) Frances D'Accardo, 512 Catalina Way, Lot 2 - \$126.72.
- (r) Antonio & Emma Fraioli, 518 Catalina Way, Lot 1 - \$133.52.

ACTION: Res. 74-946 adopted setting hearing. (P/W to handle)

BLOCK 6727

- (a) Ray L. & Hazel Flood, 2201 Monticello Ave., Lot 23 - \$141.57.
- (b) Glenn E. & Marie Pollard, 2205 Monticello Ave., Lot 22 - \$129.87.
- (c) Robert N. & Marian Duncan, 2209 Monticello Ave., Lot 21 - \$130.16.
- (d) Van & Gail Newell, 2213 Monticello Ave., Lot 20 - \$130.24.
- (e) Alvin E. & Barbara Brown, 2217 Monticello Ave., Lot 19 - \$130.83.
- (f) Richard A. & Jackie S. Hayes, 2301 Monticello Ave., Lot 18 - \$130.83.
- (g) Paul Lennon, 2305 Monticello Ave., Lot 17 - \$130.83.
- (h) Charles A. Horne, Jr. & Florence Horne, 2309 Monticello Ave., Lot 16 - \$130.83.
- (i) Leo F. & Phyllis Boteler, 2313 Monticello Ave., Lot 15 - \$130.83.
- (j) Marvin & Lucile Ray, 2317 Monticello Ave., Lot 14 - \$318.36.
- (k) Stanley G. & Barbara Maurer, 1202 Mt. Vernon Dr., Lot 13 - \$143.32.
- (l) Willis E. & Bettie S. High, 1206 Mt. Vernon Dr., Lot 12 - \$124.37.
- (m) Alfred R. & Inis M. Nunn, 2324 Monte Vista Ave., Lot 11 - \$132.72.
- (n) Mark A. & Debbie L. Olds, 2318 Monte Vista Ave., Lot 10 - \$308.46.
- (o) Denver R. & Gertrude E. Gant, 2314 Monte Vista Ave., Lot 9 - \$130.83.
- (p) William B. & Reiko Yoshino, 2310 Monte Vista Ave., Lot 8 - \$130.83.
- (q) Raymond V. & Carole Tuck, 2306 Monte Vista Ave., Lot 7 - \$130.83.
- (r) Herman F. Ebster, Jr. & Mary E. Ebster, 2302 Monte Vista Ave., Lot 6 - \$130.83.
- (s) George H. & Lynne I. Gardner, 2218 Monte Vista Ave., Lot 5 - \$130.83.
- (t) Vernon & Edith Loforti, 2214 Monte Vista Ave., Lot 4 - \$130.83.

BLOCK 6727

- (u) William K. & Regana Earl, 2210 Monte Vista Ave., Lot 3 - \$132.54.
- (v) Patricia E. Gonsalves, 2206 Monte Vista Ave., Lot 2 - \$130.91.
- (w) Dorothea C. Taylor, 1215 Bowen Ave., Lot 1 - \$147.44.

ACTION: Res. 74-947 adopted setting hearing. (P/W to handle)

BLOCK 6001

- (a) Jack & Priscilla Floyd, 211 Audrey Ave., Lot 16-17-18-19 - \$193.00.
- (b) Karl E. & Lucia Ryerson, 201 Audrey Ave., Lot 20-21-22 - \$169.28.
- (c) Carl E. Jr. & Jacqueline T. Ulrich, 1239 Alma Ave., Lot 23-24-25 - \$169.28.
- (d) Charles W. & Dorothy Noble, 210 Lois Ave., Lot 26-27-28 - \$144.75.
- (e) William Zeff, P. O. Box 1011, Modesto, Lot 29-30-31-32-33 - \$482.50.
- (f) Barton W. & Lois Perdue, 221 Audrey Ave., Lot 12-13-14-15 - \$434.25.
- (g) Ellen E. Thomas, 1228 Magnolia Ave., Lot 8-9-10-11 - \$193.00.
- (h) Clarkson B. Jr. & Marian Bradford, 1240 Magnolia Ave., Lot 1-2-3-4-5-6-7 - \$328.10.

ACTION: Res. 74-948 adopted setting hearing. (P/W to handle)

BLOCK 5321

- (a) Pedro & Ester Garcia, 315 Los Olivos Way, Lot 24 - \$133.65.
- (b) Vesta B. & Elsie B. Smith, 1019 Alameda Dr., Lot 23 - \$135.29.
- (c) Hugo F. & Norma J. Wend, 1023 Alameda Dr., Lot 22 - \$135.29.
- (d) Horton L. & Barbara Karker, 1027 Alameda Dr., Lot 21 - \$135.29.
- (e) Carrol D. & Elva Miller, 1031 Alameda Dr., Lot 20 - \$135.52.
- (f) Feliciano & Miling Carmen Cierras, 1103 Alameda Dr., Lot 19 - \$131.56.
- (g) Cecil W. & Judy Morris, 1107 Alameda Dr., Lot 18 - \$135.10.
- (h) Richard W. & Marty A. Lasater, 1111 Alameda Dr., Lot 17 - \$135.10.
- (i) Buck Jing & Lee C. C. Lau, 1115 Alameda Dr., Lot 16 - \$135.10.
- (j) K. R. & Kathleen L. Kelton, 1119 Alameda Dr., Lot 15 - \$135.10.
- (k) James W. & Janya G. Richards, 1123 Alameda Dr., Lot 14 - \$135.10.
- (l) Frank & Helen C. Denny, P. O. Box 3049, Modesto, Lot 13 - \$137.64.
- (m) Richard E. & Josephine T. Fernandes, 402 Los Cedros Way, Lot 12 - \$135.10.

BLOCK 5321

- (n) John D. & Elva F. Hughey, 1122 Arboleda Dr., Lot 11 - \$135.10.
- (o) Helen M. Quaresma, 1118 Arboleda Dr., Lot 10 - \$135.10.
- (p) Walter A. & Nancey J. Wilcoxson, 1114 Arboleda Dr., Lot 9 - \$135.10.
- (q) Charles R. & Elizabeth D. Prewitt, 1110 Arboleda Dr., Lot 8 - \$135.10.
- (r) Albert D. & Leota J. Camara, 1106 Arboleda Dr., Lot 7 - \$135.10.
- (s) Elden G. & Dona G. Kuewer, 1102 Arboleda Dr., Lot 6 - \$135.10.
- (t) Willard & Margaret M. McCoy, 1030 Arboleda Dr., Lot 5 - \$135.10.
- (u) John N. Smith, Jr. & Maridale Smith, 1026 Arboleda Dr., Lot 4 - \$135.10.
- (v) William A. & Audrea A. Ford, 1022 Arboleda Dr., Lot 3 - \$135.10.
- (w) Leta E. Truelsen, 1018 Arboleda Dr., Lot 2 - \$133.92.
- (x) Walter L. & Cleopathia L. Moore, 403 Los Olivos Way, Lot 1 - \$138.40

ACTION: Res. 74-949 adopted setting hearing. (P/W to handle)

BLOCK 3091

- (a) Edward J. & Lois L. Westwood, 1714 Gold Court, Lot 20 - \$90.05.
- (b) Joyce M. Rios, 1710 Gold Court, Lot 19 - \$153.23.
- (c) Viole E. Richards, 1706 Gold Court, Lot 18 - \$275.88.
- (d) Warren L. & Barbara J. Baize, 1705 Gold Court, Lot 17 - \$102.98.
- (e) John & Anna Milich, 405 Sheridan St., Lot 6 - \$108.06.
- (f) William J. & Helen G. Weisser, 409 Sheridan St., Lot 5 - \$104.03.
- (g) Billy F. & Helen M. Miller, 513 Sheridan St., Lot 4 - \$90.72.
- (h) Jessie V. & Marjorie Jo Echols, 517 Sheridan St., Lot 3 - \$111.12.
- (i) Walter R. & Sarah E. Crozier, 521 Sheridan St., Lot 2 - \$108.06.
- (j) Clyde H. & Helen Oliver, 1633 Vicksburg St., Lot 1 - \$126.07.

ACTION: Res. 74-950 adopted setting hearing. (P/W to handle)

BLOCK 586

- (a) Warren T. & Mary R. Hanford, 510 Cedar Ave., Lot 46 - \$77.45.
- (b) Frank M. Sawdey, 1425 Baywood Dr., Lots 44-45 - \$93.15.
- (c) Peter Grosso, 238 High St., Lots 42-43 - \$93.15.
- (d) Allen Sullivan, Jr. & Wayne T. Castleton, 234 High St., Lots 40-41 - \$93.15.
- (e) Ruth E. Rogers, 230 High St., Lots 38-39 - \$93.15.
- (f) Robert B. Taro, 431 Garrison Ave., Lots 36-37 - \$93.15.

BLOCK 586

- (g) Bob O. & Shirley Burgess, 1610 Teakwood Dr., Lots 34-35 - \$93.15.
- (h) Eva Craven, 220 High St., Lots 32-33 - \$93.15.
- (i) Lenna B. Crow, 526 Sycamore Ave., Lots 30-31 - \$93.15.
- (j) Dorothy E. Nowlin, 1700 McHenry Ave., Lots 28-29 - \$93.15.
- (k) William B. & Mildred Gillette, 206 High St., Lots 26-27 - \$93.15.
- (l) A. H. Leeper, 513 Redwood Ave., Modesto, Lots 24-25 - \$93.15.
- (m) Nancy A. Touchstone, 521 Redwood Ave., Modesto, Lots 22-23 - \$93.15.
- (n) Charles H. & Evelyn Guth, 205 Melrose St., Lots 20-21 - \$93.15.
- (o) Albert J. Rose, Jr. & Bess C. Rose, 2820 Walnut Ave. #11, Carmichael CA 95608, Lots 18-19 - \$93.15.
- (p) Sheila H. Duckworth & Helen H. Smith, 115 Jones St., Lots 16-17 - \$93.15.
- (q) Virgile L. & Veren A. Giddens, 412 Los Olivos Way, Lots 14-15 - \$93.15.
- (r) G. S. & Rena Candlish, 1209 Greenwood Dr., Lots 12-13 - \$93.15.
- (s) Henry Lohman, P. O. Box 1911, Modesto, Lots 10-11 - \$93.15.
- (t) Lucy D. McIntosh, 231 Melrose St., Lots 6-7-8-9 - \$186.30.
- (u) Hazel L. Sevigny, 237 Melrose St., Lots 4-5 - \$93.15.
- (v) Rosa Fontana 241 Melrose St., Lots 2-3 - \$93.15.
- (w) Sam L. & Shelley K. Fontana, 245 Melrose St., Lot 1 - \$77.45.

ACTION: Res. 74-951 adopted setting hearing. (P/W to handle)

BLOCK 6625

- (a) Ronald R. & Patricia D. & Lyle Ray & Erlene B. Kelch, 2202 Geneva Dr., Lot 24 - \$140.15.
- (b) James Earl & Julia Curtis, 1417 Bowen Ave., Lot 23 - \$135.10.
- (c) Genevieve F. Lisher, 1413 Bowen Ave., Lot 22 - \$135.10.
- (d) Wade C. & Carlene Bozarth, 1409 Bowen Ave., Lot 21 - \$135.10.
- (e) Jack & Patricia Williams, 1405 Bowen Ave., Lot 20 - \$135.10.
- (f) Charles K. & Wynema Y. Seller, 1401 Bowen Ave., Lot 19 - \$135.10.
- (g) Dae Wurts Dolling, 1329 Bowen Ave., Lot 18 - \$135.10.
- (h) Rick W. Jenkins, 1325 Bowen Ave., Lot 17 - \$135.10.
- (i) James E. & Barbara S. Lewis, 1321 Bowen Ave., Lot 16 - \$135.10.

BLOCK 6625

- (j) Robert L. & Glenadean J. Ganger, 1317 Bowen Ave., Lot 15 - \$135.10.
- (k) Charles Jr. & Karen B. Brown, 1313 Bowen Ave., Lot 14 - \$135.10.
- (l) Rebecca M. Olson, 1309 Bowen Ave., Lot 13 - \$135.10.
- (m) Robert J. & Elsie Boland, 2209 Rivera Dr., Lot 12 - \$140.15.
- (n) Eli & Eskye Goodrum, 26705 Ellis St., Madera, CA 93637, Lot 11 - \$135.10.
- (o) Reuben D. & Nobuko Byrd, 1310 Suzanne Ave., Lot 10 - \$135.10.
- (p) Dewey & Dollie F. Wise, 1321 Suzanne Ave., Lot 9 - \$135.10.
- (q) Phillip A. & Ida Austin, 1313 Suzanne Ave., Lot 8 - \$135.10.
- (r) Raymond C. & Gail L. Voss, 1322 Suzanne Ave., Lot 7 - \$135.10.
- (s) John L. Dutra, 1402 Suzanne Ave., Lot 6 - \$135.10.
- (t) Duane E. & Pearl M. Longmire, 3337 Keller St., Lot 5 - \$135.10.
- (u) Beverly J. Jones, 828 Grimes Ave., Lot 4 - \$135.10.
- (v) William W. & Crystal A. Hildreth, 1414 Suzanne Ave., Lot 3 - \$135.10.
- (w) James E. & Flo R. Cosgrove, 2325 Vivian Road, Lot 2 - \$135.10.
- (x) Warren L. & Agnes L. Petersen, 2210 Geneva Dr., Lot 1 - \$135.10.

ACTION: Res. 74-952 adopted setting hearing. (P/W to handle)

BLOCK 717-A

- (a) Joanne M. Groves, 714 Virginia Ave., Lot 36-37 - \$289.22.
- (b) Erma E. Grundy, 708 Virginia Ave., Lots 25-26-27-28 - \$180.28.
- (c) Hazel O. Goni, 725 Myron Ave., Lots 30-29-28 - \$103.05.
- (d) Hazel I. Sanger, 717 Myron Ave., Lots 30-31-32 - \$104.49.
- (e) Thelma Zingel, 709 Hackberry Ave., Lots 33-34-35-32 - \$180.34.
- (f) Edward F. & Oree J. Bales, 715 Hackberry Ave., Lots 42-43 - \$278.92

ACTION: Res. 74-953 adopted setting hearing. (P/W to handle)

BLOCK 6117

- (a) Frank J. & Mary J. Francek, 1562 Tully Rd., Lots 18-19-20 - \$345.78
- (b) Raymond M. McCormick, 1526 Tully Rd., Lot 17 - \$115.26.
- (c) Cynthia A. Martin, 1522 Tully Rd., Lot 16 - \$115.26.
- (d) Nellie B. McCormick, 1518 Tully Rd., Lot 15 - \$115.26.

CONSENT

18. Report of Superintendent of Streets on the cost of alley resurfacing, continued.

BLOCK 6117

- (e) O. J. & Harriette Hackett, 1514 Tully Rd., Lot 14 - \$115.26.
- (f) Cleo N. & Edna Primm, 1510 Tully Rd., Lot 13 - \$115.26.
- (g) Hazel E. Vick, 1508 Tully Rd., Lot 12 - \$115.26.
- (h) John G. & Patsy J. Payne, 1506 Tully Rd., Lot 11 - \$112.42.
- (i) Esther Montez, 1501 Stetson Ave., Lot 10 - \$112.42.
- (j) Joseph H. & Gladys M. Burdine, 1505 Stetson Ave., Lot 9 - \$115.26.
- (k) Charles & Ruth Guy Forquer, 1509 Stetson Ave., Lot 8 - \$115.26.
- (l) Joseph C. & Ruth F. Guy, 1513 Stetson Ave., Lot 7 - \$115.26.
- (m) Lawrence M. & Exie K. Rogers, 1517 Stetson Ave., Lot 6 - \$115.26.
- (n) Billy G. & Erma E. Stepp, 1521 Stetson Ave., Lot 5 - \$115.26.
- (o) Florence May Harms, 1525 Stetson Ave., Lot 4 - \$115.26.
- (p) John & Suzanne Turner, 1529 Stetson Ave., Lot 3 - \$115.26.
- (q) John G. Pauley, 1533 Stetson Ave., Lot 2 - \$115.26.
- (r) J. H. Baker, 1537 Stetson Ave., Lot 1 - \$115.26.

ACTION: Res. 74-954 adopted setting hearing. (P/W to handle)

CONSENT

19. Consider request for sewer service to property at 1762 Eureka Street, located on the northeast corner of Eureka Street and Colusa Avenue. (Owners Jessee Peral and Quadaulpe Peral have signed an agreement to annex when requested to do so by City. The property is not contiguous to the City limits; however, a line exists to serve it. Resolution approving agreement needed)

ACTION: Res. 74-955 adopted approving agreement. (Clerk to handle)

CONSENT

20. Relocation of resident on City acquired property, Mrs. Mildred Carrigan, 816 Tenth Street, Apartment 9. (Moving expenses, \$235; replacement housing payment, \$2,328. Total, \$2,563. Resolution approving letter agreement needed. Funds are budgeted)

ACTION: Res. 74-956 adopted approving letter agreement. (Clerk to handle)

CONSENT

21. Relocation of resident on city-acquired property, Mrs. Flora M. Davis, 816 Tenth Street, Apartment 5. (Moving expenses \$270; replacement housing payment, \$2,340. Total, \$2,610. Resolution approving letter agreement needed. Funds are budgeted)

ACTION: Res. 74-957 adopted approving letter agreement. (Clerk to handle)

CONSENT

22. Presentation of financial statement for October 1974.
(Report with agenda. Motion accepting report needed)

ACTION: By motion, report accepted.

CONSENT

23. Report on request of Soccer Club to use Del Webb Field.
(Report on request of Rolando Quinonez to use Del Webb Field and lights of Del Webb Field for soccer league practice sessions. Motion accepting report and resolution approving appropriation transfer of \$280 needed)

ACTION: By motion, report accepted.

Res. 74-958 adopted approving appropriation transfer of \$280 from Account 120-32-101 to Account 210-35-101. (Finance to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

24. Recommend amendment to the Standard Plans and Specifications of the City of Modesto pertaining to improvements. (wheel chair ramps)
(On November 5, 1974, the Planning Commission adopted Resolution No. 74-188 recommending to the City Council an amendment to the Standard Plans and Specifications of the City of Modesto pertaining to improvements. (wheel chair ramps). Adoption of resolution needed)

ACTION: Res. 74-959 adopted amending Standard Plans & Specifications to provide for wheel chair ramps. (P/W to handle)

25. Interim Planning Commission Commercial Standards report.
(On June 24, 1974, the Council referred to Planning Commission for report and recommendation, nine items pertaining to commercial development. Attached interim report contains Commission's findings on eight of nine items referred. Motion needed acknowledging interim Planning Commission Commercial Standards report. When Planning Commission has made its final report to the Council, action will be needed to formally adopt Commercial Standards.

ACTION: After a motion (Mensing/Kullijian) to hold for two weeks was reconsidered, the Council, by motion, (Simon/Dunlap, unan.) referred the report back to the Planning Commission for further study.
(Planning to handle)

26. Further consideration of request for waiver of one-year waiting period for re-application for planned development zoning at Oakdale Road and Wylie Drive. (Charles Fenley)
(Motion denying or resolution granting needed)

ACTION: Res. 74-960 adopted (Simon/Kullijian, unan.) granting request.
(Planning to handle)

27. Recommend adoption of a specific alignment for Longbridge Drive.
(On November 5, 1974, the Planning Commission adopted Resolution No. 74-192 recommending adoption of a specific alignment for Longbridge Drive located north of Standiford Avenue between Carver and Tully Roads. Motion approving specific alignment in principle and directing staff to proceed with preparations for precise plan hearings needed)

ACTION: By motion (Kullijian/Simon, unan.) specific alignment approved in principle and staff directed to proceed with preparation for hearings on precise plan. (Planning to handle)

MISCELLANEOUS

28. Appointments.

ACTION: Res. 74-961 adopted (Dunlap/Elliott, unan.) appointing Terry McGrath as chairman of the Modesto Bicentennial Committee to replace Ernest Darpinian. (Clerk to handle)


29. Matters too late for the agenda.

ACTION: Members of the Council congratulated Vice Mayor Simon for his election as a member of the Stanislaus County Board of Supervisors.

Councilmember Elliott announced that he would be a candidate for reelection.

Adjournment at 10:10 P.M.

ATTEST:



W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, NOVEMBER 18, 1974 AT 4:00 P.M.

Roll call Present: Elliott, Kullijian, Mensinger, Newton, Simon,
Mayor Davies
Absent: Dunlap
(Councilmember Newton arrived at 4:10 P.M.)

Pledge of allegiance to the Flag.

Invocation by Reverend Herbert Raaske, Modesto Gospel Mission

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 11,
Elliott/Kullijian, unan. - Dunlap 12, 13, 14
and Newton, absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of November 12, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Appeal by Mr. and Mrs. Tom Denlinger to denial by Board of Zoning Adjustment of request for variance to allow construction of bedroom and bath above garage without the required five-foot setback on property located at 304 North Santa Cruz.
(Resolution setting December 2, 1974 at 4:20 P.M. for hearing needed)

ACTION: Res. 74-962 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT

3. Consider award of contract for piping of Lateral No. 7, Standiford Avenue, from Dale Road to Veneman Avenue.
(Bids were opened November 12, 1974. The low bid submitted by the Flintkote Company is 9.7% below the Engineer's Estimate, and is considered acceptable. It is recommended by the Public Works Department that bid be awarded to them. Resolution awarding contract needed. Total estimated cost, \$102,852; Contract \$87,552; Engr. & Contg. \$15,300. Funds are budgeted)

ACTION: Res. 74-963 adopted awarding contract to The Flintkote Co.
(P/W to handle)

CONSENT

4. Consider acceptance of Joe Martin's contract for construction of waterlines in Eastridge #3, Havenbrook Park and Sunrise #1. (Original contract \$26,644.70. All work on this project has been completed to the satisfaction of the Public Works Department. 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 contract cost, \$31,826.82. Funds are budgeted)

ACTION: Res. 74-964 adopted accepting contract. (Clerk to handle)

CONSENT

5. Consider approval of specifications and authorize call for bids to be opened December 10, 1974 at 2:00 P.M. for furnishing one new heavy-duty stump cutting machine. (Resolution needed. Estimated cost \$7,971. Funds are budgeted)

ACTION: Res. 74-965 adopted approving specifications and bid call. (Clerk to handle)

CONSENT

6. Consider award of contract for construction of baseball field lighting at Davis Park. (Bids were opened November 12, 1974. The low bid submitted by Collins Electrical Co., Inc., which is 0.4% under the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$89,600. Funds are budgeted)

ACTION: Res. 74-966 adopted awarding contract to Collins Electrical Co., Inc. (P/W to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for construction of water line on Madison Street at Blocks 401 and 414. (Suggested bid opening December 3, 1974 at 11:00 A.M. This is a water strengthening project. Resolution approving bid call needed. Estimated cost \$21,272 (\$16,992 constr., \$4,280, materials). Funds are budgeted)

ACTION: Res. 74-967 adopted approving plans and specifications and bid call. (Clerk to handle)

HEARINGS

8. Continued hearing on curb at 215 La Loma, Block 204, 4:00 P.M.
Richard W. Beall.
(Continued from October 24, 1974 meeting. Report with agenda)

ACTION: By motion (Elliott/Mensing, unan.) intention declared to require curb and gutter but to encourage staff and property owner to work out a solution to the parking problems with formal action to be taken at the 1st meeting in January, 1975. (P & T to handle)

9. Continued hearing on curb and sidewalk along Encina Ave. at 904 Encina Ave., Lot 13 and No. 15' of Lot 12, 4:05 P.M.
Block 2027, Charles R. Walker.
(Continued from October 24, 1974 meeting. Report with agenda)

ACTION: Res. 74-968 adopted (Mensing/Elliott, unan. - Dunlap, absent) ordering work done. (P/W to handle)

10. Matters for the good of the community. 4:10 P.M.
(These may be presented by interested persons in the audience)

ACTION: Yellow Cab Co. requested permission for cab stands near the Continental Trailways Bus Depot and at the Airport during the Greyhound Bus strike. As the Director of Parking & Traffic has the authority to handle this, it was referred to him.
(P & T to handle)

ORDINANCES

CONSENT

11. Amendment to Section 6-5.01 - second hand dealers.
(Report with agenda. Introduction of ordinance needed)

ACTION: By motion, Ord. No. 1400-C.S. introduced. (Clerk to handle)

NEW BUSINESS

CONSENT

12. Letter agreement for relocation of a place of business on city-acquired property, Pete Fontana, 1013½ H Street.
(City will pay \$3,652.44 in lieu of moving expenses. Resolution approving letter agreement needed. Funds are budgeted)

ACTION: Res. 74-969 adopted approving letter agreement. (Finance to handle)

CONSENT

13. Consider proposal of Mr. Alvie Stephens to harvest pecans on city property.
(A letter has been received from Mr. Alvie Stephens offering to harvest pecans from city-owned property located on a portion of the Tuolumne River Regional Park, located north of Legion Park Drive, west of Conejo Avenue and east of Santa Cruz Avenue. He proposed to complete the harvest and pay to the City by January 10, 1975, 50% of the gross revenue for the crop. Resolution approving needed. No cost to City)

ACTION: Res. 74-970 adopted approving letter agreement. (P & R to handle)

CONSENT

14. Approve agreement with Stanislaus County for provision of additional bus service on McHenry Ave.
(The County has approved the agreement for extending bus service along McHenry to Wells Avenue. Resolution approving agreement needed. City costs to be reimbursed by County)

ACTION: Res. 74-971 adopted approving agreement. (P & T to handle)

MISCELLANEOUS

15. Appointments.

ACTION: Res. 74-972 adopted (Simon/Elliott, unan. - Dunlap, absent) reappointing Larry Carter, John Funnel, Gerald Oberkamper and Frank Van Konynenburg as members of the Farm-City Advisory Committee for terms ending May 1, 1978. (Clerk to handle)

16. Matters too late for the agenda.

ACTION: The City Attorney announced that the 5th District Court of Appeals had upheld the dismissal of the Court Case brought against the City by Universal By-Products and that the case was now concluded unless Universal By-Products appeals to the Supreme Court.

Adjournment at 5:35 P.M.

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, NOVEMBER 25, 1974 AT 7:30 P.M.

Roll call Present: Elliott, Kullijian, Mensinger, Newton, Simon,
Mayor Davies

Absent: Dunlap

Pledge of allegiance to the Flag

Invocation by Father Cornelius DeGroot, St. Joseph's Catholic Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 13, 14,
Items 12, 25 and 26 removed from consent 15, 16, 17, 18, 19, 20, 21, 22,
Simon/Elliott, unan. - Dunlap, absent 23, 24, 27

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of November 18, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

BIDS

CONSENT

2. Consider award of contract for replacement of lights at Del Webb Field.
(Bids were opened November 19, 1974. The low bid submitted by Overhead Electric Co., (\$36,663), which is 20% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract and resolution approving appropriation transfer of \$9,000 needed. Funds are partially budgeted)

ACTION: Res. 74-973 adopted awarding contract to Overhead Electric Co.
(P/W to handle)

Res. 74-974 adopted approving appropriation transfer of \$9,000 from Account 8385-31-321 to Account 8398-31-321. (Finance to handle)

CONSENT

3. Consider award of contract for irrigation and planting at Woodrow Park.
(Bids were opened November 19, 1974. The low bid submitted by Albert M. Biehl, which is 46% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution needed. Estimated cost \$32,409. Funds are budgeted)

ACTION: Res. 74-975 adopted awarding contract to Albert M. Biehl.
(P/W to handle)

CONSENT

4. Consider award of contract for irrigation and planting at Rose Avenue Park.
(Bids were opened November 19, 1974. The low bid submitted by Albert M. Biehl, which is 45% below the Engineer's Estimate, is considered acceptable. It is therefore recommended that the contract be awarded to them. Resolution needed. Estimated cost \$28,294.00. Funds are budgeted)

ACTION: Res. 74-976 adopted awarding contract to Albert M. Biehl.
(P/W to handle)

CONSENT

5. Consider award of contract for irrigation and planting at Sutter Park.
(Bids were opened November 19, 1974. The low bid submitted by Albert M. Biehl, which is 46% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution needed. Estimated cost \$26,935.00. Funds are budgeted)

ACTION: Res. 74-977 adopted awarding contract to Albert M. Biehl.
(P/W to handle)

CONSENT

6. Approve plans and specifications and call for bids for demolition of a two-story residence and topping of trees at 2909 River Road. (Bid opening December 10, 1974 at 11:00 A.M. This property has been purchased in conjunction with clear zone acquisitions at the Modesto City-County Airport. The house was advertised for sale to be moved off the site and no bids were received. Specifications have been prepared for the demolition of the building and clearing of the site. It is recommended that the plans and specifications be approved. Resolution approving plans, specifications and bid call needed. Estimated cost \$7,350 (\$7,000 demolition, and \$350, Engineering and Inspection). Funds are budgeted)

ACTION: Res. 74-978 adopted approving plans and specifications and bid call. (Clerk to handle)

HEARINGS

7. Hearing on annexation of Standiford-Carver No. 1 Addition to Modesto Municipal Sewer District No. 1. 7:30 P.M.

ACTION: Res. 74-979 adopted (Simon/Kullijian, maj. - Mensinger, no - Dunlap, absent) annexing Standiford-Carver No. 1 Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

8. Hearing on annexation of North McHenry No. 2 Addition to Modesto Municipal Sewer District No. 1. 7:35 P.M.

ACTION: Res. 74-980 adopted (Elliott/Kullijian, unan. - Dunlap, absent) annexing North McHenry No. 2 Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

9. Hearing, amendment to Section 13-3-8 of zoning map to rezone property at the north west corner of Conant and Highway 99. (Commission initiated) 7:40 P.M.

ACTION: Res. 73-981 adopted (Elliott/Kullijian, unan. - Dunlap, absent) overruling the Planning Commission and denying proposed rezoning. (Clerk to handle)

ACTION: (Councilmember Newton was excused from consideration of this item due to his employment by the applicant for the abandonment)

Res. 1294-S.P. adopted (Kullijian/Mensing, unan. - Dunlap and Newton, absent) vacating and abandoning alley. (P/W to handle)

11. Matters for the good of the community. 7:50 P.M.
(These may be presented by interested persons in the audience)

ACTION: Haig Arakelian, Jr. requested that consideration be given to issuing free parking stickers for senior citizens. The request was taken under advisement.

ORDINANCES

12. Final adoption of Ordinance No. 1400-C.S. relating to second-hand dealers.
(Motion adopting needed)

ACTION: By motion (Elliott/Kullijian, unan.) further consideration delayed for two weeks to permit staff to work with coin dealers. (Police to handle)

CONSENT

13. Consider revision of out-of-service taxi regulations.
(Memo with agenda. Revision would give more flexibility in replacing damaged or wornout taxis. Introduction of ordinance needed)

ACTION: Ord. No. 1401-C.S. introduced. (Clerk to handle)

NEW BUSINESS

CONSENT

14. Resolution determining that the public interest and convenience require that North Tully No. 1 Addition be annexed to Modesto Municipal Sewer District No. 1 and naming time and place for hearing. It is now necessary to commence proceedings to annex North Tully No. 1 Addition to the Sewer District. Suggested hearing date January 13, 1975 at 7:35 P.M. Resolution setting hearing needed. (2/3 affirmative vote required). Funds are budgeted)

ACTION: Res. 74-982 adopted setting hearing. (Clerk to handle)

CONSENT

15. Resolution withdrawing North Tully No. 1 Addition from the Salida Fire District.
(This inhabited annexation was annexed to the City of Modesto effective November 16, 1974. Resolution withdrawing from Salida Fire District needed)

ACTION: Res. 74-983 adopted withdrawing North Tully No. 1 Addition from Salida Fire Protection District. (Clerk to handle)

CONSENT

16. Agricultural lease, Arnold C. and Helen Dickens, Riverside Park.
(The agreement provides for a term of one year ending October 31, 1975, with rental being at the rate of 10% of the proceeds from the crops produced. This property has been leased from the City by Mr. Dickens for several years. Resolution approving agreement needed)

ACTION: Res. 74-984 adopted approving agreement. (Clerk to handle)

CONSENT

17. Consider acceptance of improvements in Wesson Estates No. 1 Subdivision and authorize City Clerk to record notice of completion and release bonds upon expiration of statutory periods.
(This subdivision is located on the east side of Tully Road north of Hetch Hetchy right of way. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 74-985 adopted accepting improvements. (Clerk to handle)

CONSENT

18. Consider acceptance of improvements in Sylvan Meadows East No. 1 Subdivision and authorize City Clerk to record notice of completion and release bonds upon expiration of statutory periods.
(This subdivision is located on the east side of Coffee Road north of Sylvan Avenue. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 74-986 adopted accepting improvements. (Clerk to handle)

CONSENT

19. Consider amendment to Local Agency - State Agreement No. UE-74-12 (Briggsmore Ave. - Prescott to McHenry) to provide for State Department of Transportation to perform construction engineering in lieu of City of Modesto.
(Memo with agenda. Resolution approving amendment needed)

ACTION: Res. 74-987 adopted approving amendment to agreement. (Clerk to handle)

REPORTS

CONSENT

20. Report on left-turn lanes (no parking zones) on El Vista.
(Memo with agenda. Resolution setting informal hearing at 7:35 P.M. on December 9, 1974 needed)

ACTION: Res. 74-988 adopted setting informal hearing. (Clerk to handle)

CONSENT

21. Report on health insurance for City Council members.
(Memo with agenda. Resolution needed)

ACTION: Res. 74-989 adopted approving health insurance coverage for Councilmembers under City's present Blue Shield policy with Councilmembers paying for their coverage. (Personnel to handle)

CONSENT

22. Report on establishment of City safety program.
(Memo with agenda. Resolution needed)

ACTION: Res. 74-990 adopted authorizing City Manager to establish a safety program and to issue safety orders. (Personnel to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

23. Recommend amendment to Section 7-3-9 of the zoning map (Horn Construction Company - Standiford and Hetch Hetchy)
(On November 19, 1974, the Planning Commission adopted Resolution No. 74-194 recommending amendment to Section 7-3-9 of the zoning map to rezone from low density residential zone, R-1, to medium density residential zone, R-2, property located on the north side of Standiford Avenue and the Hetch Hetchy right of way and west of Carver Road. Resolution setting December 16, 1974 at 4:05 P.M. for public hearing needed)

ACTION: Res. 74-991 adopted setting hearing. (Clerk to handle)

CONSENT

24. Recommend amendment to Sections 31-3-9 and 6-4-9 of the zoning map (Paradise Road area rezoning)
(On November 19, 1974, the Planning Commission adopted Resolution No. 74-195 recommending amendment to Sections 31-3-9 and 6-4-9 of the zoning map to prezone to R-3, properties located along both sides of Paradise Road between Ellen Avenue and Vernon Avenue and denying a portion of the proposed rezoning. Resolution setting December 23, 1974 at 7:30 P.M. for public hearing needed)

ACTION: Res. 74-992 adopted setting hearing. (Clerk to handle)

25. Recommend amendment to Section 9-3-9 of the zoning map (Berberian - northwest corner Sylvan Avenue and Coffee Road)
(On November 19, 1974, the Planning Commission adopted Resolution No. 74-200 recommending an amendment to Section 9-3-9 of the zoning map to rezone from P-D(47) to low density residential zone, R-1, property located at the northwest corner of Sylvan Avenue and Coffee Road. Resolution setting December 16, 1974 at 4:10 P.M. for public hearing needed)

ACTION: (Councilmember Kullijian was excused from consideration of this item due to a conflict of interest)

Res. 74-993 adopted (Mensing/Simon, unan. - Dunlap and Kullijian, absent) setting hearing. (Clerk to handle)

26. Recommend amendment to Planned Development (53) (Berberian) on the zoning map.
(On November 19, 1974, the Planning Commission adopted Resolution No. 74-199 recommending an amendment to P-D(53) located at the northeast corner of Sylvan Avenue and Coffee Road, to permit direct vehicular access from P-D(53) to both Sylvan Avenue and Coffee Road. The amendment to P-D(53) was requested by Haig Berberian. Resolution setting December 16, 1974 at 4:10 P.M. for public hearing needed)

ACTION: (Councilmember Kullijian was excused from consideration of this item due to a conflict of interest)

Res. 74-994 adopted (Mensing/Simon, unan. - Dunlap and Kullijian, absent) setting hearing. (Clerk to handle)

CONSENT

27. County referral of open space contracts.
(a) Application No. 74-1849, Richard J. and Angie Bosio, 354 feet east of Grimes Avenue on the south side of California Ave., 2412 California Avenue. Memo with agenda.
(Resolution expressing recommendation of no opposition needed)

ACTION: Res. 74-995 adopted expressing no opposition. (Clerk to handle)

CONSENT

27. County referral of open space contracts, continued.
(b) Application No. 74-1858, E. E. Keppler, south side of Milnes Road between Claus Road and Santa Fe Avenue, 4200 Milnes Road.
(Memo with agenda. Resolution expressing recommendation of opposition to the County Board of Supervisors needed)

ACTION: Res. 74-996 adopted expressing opposition. (Clerk to handle)

MISCELLANEOUS

28. Appointments.

NONE

29. Matters too late for the agenda.

ACTION: Following a discussion of the need of the Camellia Society for man-power and trucks to assist with the Camellia Festival, it was agreed that Vice Mayor Simon would present the problem to the Chamber of Commerce.

By motion (Mensingher/Elliott, unan.) recommendation approved that City of Modesto not join with County and other cities in a joint Housing and Community Development Act application this year. (C/Mgr to handle)

(Kullijian/Elliott, unan. - Dunlap, absent)
Ord. No. 1402-C.S. introduced and adopted/as an emergency ordinance (Security for collection of Transient Occupancy Tax.
(Clerk to handle)

Ord. No. 1403-C.S. introduced (Kullijain/Elliott, unan. - Dunlap, absent) (Security for collection of Transient Occupancy Tax.)
(Clerk to handle)

Adjournment at 10:10 P.M. to 4:30 P.M. on Tuesday, November 26, 1974, for the purpose of confirming the canvass of votes cast at the Special Municipal Election held November 5, 1974.

ATTEST:



W. T. CHYNOWETH, City Clerk

Modesto City Council
Adjourned Regular Meeting
November 26, 1974

The Council of the City of Modesto met at 4:30 P.M. this date pursuant to adjournment and there were:

Present: Councilmembers: Elliott, Kullijian, Mensinger, Simon,
Mayor Davies
Absent: Councilmembers: Dunlap, Newton

The City Clerk reported that the Official Canvass of votes cast at the Special Municipal Election held November 5, 1974, showed 9,063 votes in favor of Measure A (Charter Amendments) and 3,026 votes against said Measure A.

Res. 74-997 adopted (Simon/Mensinger, unan. - Dunlap and Newton, absent) confirming canvass.

The Clerk then reported that there were 142 yes votes and 300 no votes cast for Measure B (Sherwood Forest Annexation.)

Res. 74-998 adopted (Kullijian/Elliott, unan. - Dunlap and Newton, absent) confirming canvass.

The meeting was adjourned at 4:35 P.M.

ATTEST:


W. T. CHYNO~~W~~ETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, DECEMBER 2, 1974 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Vice Mayor Simon
Absent: Mayor Davies
(Vice Mayor Simon presided)

Pledge of allegiance to the Flag
Invocation by Reverend Ben Terrell, First Nazarene Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 5, 6, 13, 14, 15,
Dunlap/Mensinger, unan. - Mayor Davies, 16, 17, 18, 19
absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of November 25 and 26, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

CONSENT

2. Appeal by Dominic o Frisone to administrative decision of Director of Public Works requiring four inches of rock base and two inches of AC for alley resurfacing at southeast corner of Sunrise and Lucerne.
(Resolution setting December 9, 1974 at 7:40 P.M. for hearing needed)

ACTION: Res. 74-999 adopted setting hearing. (Clerk to handle)

CONSENT

3. Request of Stanislaus County Superintendent of Schools for consolidation of certain school district elections with Modesto General Municipal Election to be held March 4, 1975.
(Resolution granting request needed)

ACTION: Res. 74-1000 adopted granting request for consolidation.
(Clerk to handle)

4. Request of Greater Modesto Chapter of the California Motel Association for amendment to transient occupancy tax ordinance to permit motels to retain 5% of total tax for cost of collection.

ACTION: By motion (Elliott/Dunlap, unan.) request denied at this time.

CONSENT

5. Letter from Francis Ruggieri on behalf of Rudy Bonzi Enterprises opposing increase in garbage collection charges and reaffirming offer made in application dated June 21, 1972.
(Motion referring to staff needed)

ACTION: By motion, letter referred to staff. (C/Mgr to handle)

BIDS

CONSENT

6. Consider award of contract for construction of waterlines in Veneman Avenue.
(Bids were opened November 26, 1974. The low bid of \$45,926 submitted by Joe Martin, which is 21% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed)

ACTION: Res. 74-1001 adopted awarding contract to Joe Martin. (P/W to handle)

HEARINGS

7. Hearing on annexation of Orangeburg-Lakewood Addition to City of Modesto 4:00 P.M.

ACTION: Res. 74-1002 adopted (Dunlap/Kullijian, unan. - Davies, absent) declaring majority protest not made. (Clerk to handle)

Ord. No. 1404-C.S. adopted (Dunlap/Kullijian, unan. - Davies, absent) annexing Orangeburg-Lakewood Addition to City. (Clerk to handle)

Res. 74-1003 adopted (Dunlap/Kullijian, unan. - Davies, absent) directing Director of Planning to file notice re environmental impact. (Planning to handle)

8. Hearing on annexation of Orangeburg-Sonoma No. 2 Addition to City of Modesto. 4:05 P.M.

ACTION: Res. 74-1004 adopted (Dunlap/Newton, unan. - Davies, absent) declaring majority protest not made. (Clerk to handle)

Ord. No. 1405-C.S. adopted (Dunlap/Newton, unan. - Davies, absent) annexing Orangeburg-Sonoma No. 2 Addition to City. (Clerk to handle)

Res. 74-1005 adopted (Dunlap/Newton, unan. - Davies, absent) directing Director of Planning to file notice re environmental impact. (Planning to handle)

9. Hearing on amendment to Section 29-3-9 of zoning map to rezone property at the southwest corner of Stoddard and College from C-1 to R-3 to make zoning consistent with General Plan. 4:10 P.M.

ACTION: Ord. No. 1406-C.S. introduced (Elliott/Dunlap, maj. - Kullijian, no - Davies, absent) rezoning area from C-1 to R-3. (Clerk to handle)

Res. 74-1006 adopted (Elliott/Dunlap, maj. - Kullijian, no - Davies, absent) directing Director of Planning to file notice re environmental impact. (Planning to handle)

10. Hearing on amendment to Section 19-3-9 of the zoning map to rezone property at the southeast corner of Clayton and 9th Streets from C-M to H-1 to make zoning consistent with the General Plan. 4:15 P.M.

ACTION: Ord. No. 1407-C.S. introduced (Newton/Dunlap, unan. - Davies, absent) rezoning area from CM to H-1. (Clerk to handle)
Res. 74-1007 adopted (Newton/Dunlap, unan. - Davies, absent) directing Director of Planning to file notice re environmental impact. (Planning to handle)

11. Hearing on appeal filed by Tom Denlinger et ux to denial of Board of Zoning Adjustment for variance for addition to residence at 304 North Santa Cruz without five-foot setback.

4:20 P.M.

ACTION: Res. 74-1008 adopted (Kullijian/Mensing, unan. - Davies, absent) overruling Board of Zoning Adjustment and granting variance. (Planning to handle)

12. Matters for the good of the community.

4:25 P.M.

(These may be presented by interested citizens in the audience)

ACTION: George Siegfried invited Council and Staff to a meeting of the Mancini Park Parent's Association to be held Wednesday, December 4, in the Tuolumne School cafeteria. It was agreed that a member of City staff would attend and Councilmember Mensinger stated that she planned to attend also.

ORDINANCES

CONSENT

13. Final adoption of the following:

(a) Ordinance No. 1401-C.S. relating to taxi regulations.

ACTION: By motion, Ord. No. 1401-C.S. adopted. (Clerk to handle)

(b) Ord. No. 1403-C.S. relating to transient occupancy tax. (Motions adopting needed)

ACTION: By motion, Ord. No. 1403-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

14. A resolution determining that the public interest and convenience require that the following Additions be annexed to the Modesto Municipal Sewer District No. 1 and naming time and place for hearings:

(a) Lincoln No. 2 Addition - suggested hearing time, January 20, 1975 at 4:00 P.M.

ACTION: Res. 74-1009 adopted setting hearing. (Clerk to handle)

(b) Tuolumne Regional Park No. 1 Addition - suggested hearing time January 20, 1975 at 4:05 P.M.

(These additions were annexed to the City effective November 19, 1974. Resolutions setting hearings needed (2/3 affirmative vote required)

ACTION: Res. 74-1010 adopted setting hearing. (Clerk to handle)

CONSENT

15. Resolutions withdrawing the following Additions from the Empire Fire District:

(These areas were annexed to the City of Modesto effective November 19, 1974. Two resolutions needed)

(a) Lincoln No. 2 Addition.

ACTION: Res. 74-1011 adopted withdrawing Lincoln No. 2 Addition from Empire Fire District.

CONSENT

15. Resolution withdrawing the following from the Empire Fire District, continued.

(b) Tuolumne Regional Park No. 1 Addition.

ACTION: Res. 74-1012 adopted withdrawing Tuolumne Regional Park No. 1 Addition from Empire Fire District. (Clerk to handle)

CONSENT

16. Consider request of City Manager for permission to take vacation January 2 and 3, 1975.
(Motion approving request needed)

ACTION: By motion, request granted.

CONSENT

17. Consider request for sewer service to property at 1444 Morene Way, located on the east side of Morene Way between East Coolidge Avenue and East Orangeburg Ave.
(Property owner Peggy Hadsell has signed an agreement to annex when requested to do so by City. The property is not contiguous to the City; however, a line exists to serve it. Resolution approving agreement needed)

ACTION: Res. 74-1013 adopted approving agreement. (P/W to handle)

CONSENT

18. Letter from Salvation Army.
(The Salvation Army has requested permission to pick the oranges from trees located in city parks. They plan to use the oranges in their Christmas baskets. The Council approved this request last year. Motion granting request needed)

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

APPROPRIATION TRANSFERS

CONSENT

19. Appropriation transfer of \$150 from General Reserve for membership dues, National League of Cities.
(Dues for calendar year 1975 have been increased from \$750 to \$900. Resolution approving appropriation transfer needed)

ACTION: Res. 74-1014 adopted approving appropriation transfer of \$150 from Account 60-101 to Account 401-7-101. (Finance to handle)

MISCELLANEOUS

20. Appointments.

NONE

21. Matters too late for the agenda.

ACTION: Vice Mayor Simon announced that he intended to resign at the end of the December 23 Council meeting.

A report on the Housing and Community Development Act of 1974 was presented to the Council for study. It was pointed out that public meetings would be held to obtain input from the community.

Adjournment at 5:35 P.M.

ATTEST:

W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, DECEMBER 9, 1974 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Mayor Davies
Absent: Simon

Pledge of allegiance to the Flag.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 6, 12, 14, 15, 16,
Items 13 and 19 removed from consent 17, 18, 20, 21
Newton/Kullijian, unan. - Simon, absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of December 2, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Request of James T. Bearden, Modesto Junior Chamber of Commerce, to appear before Council to solicit funds for the Underprivileged Children's Christmas Shopping Tour to be held December 18, 1974.

ACTION: No action taken on request, but Mayor Davies presented Mr. Bearden a check from Gemco to assist with the shopping tour.

CONSENT

3. Request of Head Rest, Inc. for permission to terminate lease of Room 202 at 800 East Morris.
(Motion needed)

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

CONSENT

4. Appeal of Mid Valley Engineering on behalf of Charles Fenley to determination by Environmental Assessment Committee that an Environmental Impact Report is required in connection with Planned Development (P-D) zoning application for property at Oakdale and Wylie, (Resolution setting December 16, 1974 at 4:15 P.M. for hearing needed)

ACTION: Res. 74-1015 adopted setting hearing. (Clerk to handle)

5. Request of Downtown Merchants Association for relaxing of enforcement of parking regulations in downtown area between now and Christmas and also for policy of free downtown parking on Saturdays.

ACTION: By motion (Elliott/Dunlap, unan.) request for free Saturday parking referred to staff for study and report to Council. (P & T to handle)
It was agreed that relaxing of enforcement would be handled informally as in previous years.

CONSENT

6. Consider award of contract for construction of waterlines on Madison Street at Block 401 and 414.
(Bids were opened December 3, 1974. The low bid of \$14,949.20 submitted by Joe Martin, which is 12% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Estimated cost \$14,949.20. Funds are budgeted)

ACTION: Res. 74-1016 adopted awarding contract to Joe Martin.
(P/W to handle)

7. Consider establishing policy for payment of assessments in annual installments by property owners for alley paving when such installation work is performed by the City.
(Memo with agenda. Resolution establishing policy needed)

ACTION: Res. 74-1017 adopted (Mensingher/Elliott, unan. - Simon, absent) establishing policy. (P/W and Finance to handle)

HEARINGS

- 7-A. Hearings on costs of alley improvements, 7:30 P.M.
(Project No. 1), at the following locations:

BLOCK 6127

- (a) John J. & Louise Pavlosky, 519 Bermuda Way, Lot 18 - \$133.56.

ACTION: Res. 74-1018 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (b) George P. & Angelina Katsufarakis, 513 Bermuda Way, Lot 17 - \$126.72.

ACTION: Res. 74-1019 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (c) Robert O. and Donna R. Brook, 507 Bermuda Way, Lot 16 - \$126.72.

ACTION: Res. 74-1020 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (d) Alfred C. and Marguerite Hackbarth, 501 Bermuda Way, Lot 15 - \$126.72.

ACTION: Res. 74-1021 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (e) Vernon F. & Dorothy E. Morgan, 445 Bermuda Way, Lot 14 - \$126.72.

ACTION: Res. 74-1022 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (f) Wesley E. and Margaret C. Kipena, 439 Bermuda Way, Lot 13 - \$126.72.

ACTION: Res. 74-1023 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

7-A. Hearings on costs of alley improvements, continued.

7:30 P.M.

BLOCK 6127

(g) Wesley & Margaret C. Kipena, 439 Bermuda Way, Lot 12 - \$126.72.

ACTION: Res. 74-1024 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(h) Lawrence S. & Diana L. Smith, 427 Bermuda Way, Lot 11 - \$126.72.

ACTION: Res. 74-1025 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(i) Joseph A. & Rita M. Caldeira, 1515 Sherwood Ave., Lot 10 - \$126.72
(Paid - Drop from agenda)

DROPPED

(j) Alfredo K. & Trinidad P. Garza, P. O. Box 356, Del Rey, CA., Lot 9
\$126.72.

ACTION: Res. 74-1026 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(k) Marjorie Keeney O'Day, P. O. Box 2122, Napa, CA., Lot 8 - \$126.72.

DROPPED FROM AGENDA AS COSTS HAVE BEEN PAID.

(l) Joseph C. Berchtold, 432 Catalina Way, Lot 7 - \$126.72.
(Paid - Drop from agenda)

DROPPED

(m) Robert C. Lukins, 438 Catalina Way, Lot 6 - \$126.72.

ACTION: Res. 74-1027 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(n) Billy G. & Wanda L. Ray, 444 Catalina Way, Lot 5 - \$126.72.

ACTION: Res. 74-1028 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collections. (Finance to handle)

(o) Herman C. & Alice J. House, 1234 "O" Street, Livingston, CA.,
Lot 4 - \$126.72.

ACTION: Res. 74-1029 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(p) George E. & Rosemary Zimmerman, 506 Catalina Way, Lot 3 - \$126.72.
(Paid - Drop from agenda)

DROPPED

(q) Frances D'Accardo, 512 Catalina Way, Lot 2 - \$126.72.
(Paid - Drop from agenda)

DROPPED

7-A. Hearings on costs of alley improvements, continued.

7:30 P.M.

BLOCK 6127

(r) Antonio & Emma Fraioli, 518 Catalina Way, Lot 1 - \$133.52.

ACTION: Res. 74-1030 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 6727

(a) Ray L. & Hazel Flood, 2201 Monticello Ave., Lot 23 - \$141.57.

ACTION: Res. 74-1031 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(b) Glenn E. & Marie Pollard, 2205 Monticello Ave., Lot 22 - \$129.87.

ACTION: Res. 74-1032 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(c) Robert N. & Marian Duncan, 2209 Monticello Ave., Lot 21 - \$130.16.

ACTION: Res. 74-1033 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(d) Van & Gail Newell, 2213 Monticello Ave., Lot 20 - \$130.24.

ACTION: Res. 74-1034 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(e) Alvin E. & Barbara Brown, 2217 Monticello Ave., Lot 19 - \$130.83.

ACTION: Res. 74-1035 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(f) Richard A. & Jackie S. Hayes, 2301 Monticello Ave., Lot 18 - \$130.83.

ACTION: Res. 74-1036 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(g) Paul Lennon, 2305 Monticello Ave., Lot 17 - \$130.83.

ACTION: Res. 74-1037 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(h) Charles A. Horne, Jr. & Florence Horne, 2309 Monticello Ave., Lot 16 - \$130.83.
(Paid - Drop from agenda)

DROPPED

(j) Marvin & Lucile Ray, 2317 Monticello Ave., Lot 14 - \$318.36.

ACTION: Res. 74-1038 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(i) Leo F. & Phyllis Boteler, 2313 Monticello Ave., Lot 15 - \$130.83.
(Paid - Drop from agenda)

DROPPED

7-A. Hearings on costs of alley improvements, continued.

7:30 P.M.

BLOCK 6727

(k) Stanley G. & Barbara Maurer, 1202 Mt. Vernon Dr., Lot 13 - \$143.32.

ACTION: Res. 74-1039 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(l) Willis E. & Bettie S. High, 1206 Mt. Vernon Dr., Lot 12 - \$124.37.
(Paid - Drop from agenda)

DROPPED

(m) Alfred R. & Inis M. Nunn, 2324 Monte Vista Ave., Lot 11 - \$132.72.

ACTION: Res. 74-1040 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(n) Mark A. & Debbie L. Olds, 2318 Monte Vista Ave., Lot 10 - \$308.46.

ACTION: Res. 74-1041 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(o) Denver R. & Gertrude E. Gant, 2314 Monte Vista Ave., Lot 9 - \$130.83.
(Paid - Drop from agenda)

DROPPED

(p) William B. & Reiko Yoshino, 2310 Monte Vista Ave., Lot 8 - \$130.83.

ACTION: Res. 74-1042 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(q) Raymond V. & Carole Tuck, 2306 Monte Vista Ave., Lot 7 - \$130.83.
(Paid - Drop from agenda)

DROPPED

(r) Herman F. Ebster, Jr. & Mary E. Ebster, 2302 Monte Vista Ave.,
Lot 6 - \$130.83.

ACTION: Res. 74-1043 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(s) George H. & Lynne I Gardner, 2218 Monte Vista Ave., Lot 5 - \$130.83.
(Paid - Drop from agenda)

DROPPED

(t) Vernon & Edith Loforti, 2214 Monte Vista Ave., Lot 4 - \$130.83.

ACTION: Res. 74-1044 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(u) William K. & Regana Earl, 2210 Monte Vista Ave., Lot 3 - \$132.54.

DROPPED FROM AGENDA AS COSTS HAVE BEEN PAID

(v) Patricia E. Gonsalves, 2206 Monte Vista Ave., Lot 2 - \$130.91.

ACTION: Res. 74-1045 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

7-A. Hearings on costs of alley improvements, continued.

7:30 P.M.

BLOCK 6727

- (w) Dorothea C. Taylor, 1215 Bowen Ave., Lot 1 - \$147.44
(Paid - Drop from agenda)

DROPPED

BLOCK 6001

- (a) Jack & Priscilla Floyd, 211 Audrey Ave., Lot 16-17-18-19 - \$193.00.

ACTION: Res. 74-1046 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (b) Karl E. & Lucia Ryerson, 201 Audrey Ave., Lot 20-21-22 - \$169.28.

ACTION: Res. 74-1047 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (c) Carl E. Jr. & Jacqueline T. Ulrich, 1239 Alma Ave., Lot 23-24-25 - \$169.28.

ACTION: Res. 74-1048 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (d) Charles W. & Dorothy Noble, 210 Lois Ave., Lot 26-27-28 - \$144.75.

ACTION: Res. 74-1049 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (e) William Zeff, P. O. Box 1011, Modesto, Lot 29-30-31-32-33 - \$482.50.
(Paid - Drop from agenda)

DROPPED

- (f) Barton W. & Lois Perdue, 221 Audrey Ave., Lot 12-13-14-15 - \$434.25.
(Paid - Drop from agenda)

DROPPED

- (g) Ellen E. Thomas, 1228 Magnolia Ave., Lot 8-9-10-11 - \$193.00.
(Paid - Drop from agenda)

DROPPED

- (h) Clarkson B. Jr. & Marian Bradford, 1240 Magnolia Ave., Lot 1-2-3-4-5-6-7 - \$328.10.
(Paid - Drop from agenda)

DROPPED

BLOCK 5321

- (a) Pedro & Ester Garcia, 315 Los Olivos Way, Lot 24 - \$133.65.

ACTION: Res. 74-1050 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (b) Vesta B. & Elsie B. Smith, 1019 Alameda Dr., Lot 23 - \$135.29.

ACTION: Res. 74-1051 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

7-A. Hearings on costs of alley improvements, continued.

7:30 P.M.

BLOCK 5321

(c) Hugo F. & Norma J. Wend, 1023 Alameda Dr., Lot 22 - \$135.29.

ACTION: Res. 74-1052 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(d) Horton L. & Barbara Karker, 1027 Alameda Dr., Lot 21 - \$135.29.

ACTION: Res. 74-1053 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(e) Carrol D. & Elva Miller, 1031 Alameda Dr., Lot 20 - \$135.52.

ACTION: Res. 74-1054 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(f) Feliciano & Miling Carmen Cierras, 1102 Alameda Dr., Lot 19 - \$131.56.

ACTION: Res. 74-1055 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(g) Cecil W. & Judy Morris, 1107 Alameda Dr., Lot 18 - \$135.10.

ACTION: Res. 74-1056 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(h) Richard W. & Mary A. Lasater, 1111 Alameda Dr., Lot 17 - \$135.10.

ACTION: Res. 74-1057 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(i) Buck Jing & Lee C. C. Lau, 1115 Alameda Dr., Lot 16 - \$135.10.

ACTION: Res. 74-1058 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(j) K. R. & Kathleen L. Kelton, 1119 Alameda Dr., Lot 15 - \$135.10.

ACTION: Res. 74-1059 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(k) Jack L. & Nancy K. Palmer, 1123 Alameda Dr., Lot 14 - \$135.10.

ACTION: Res. 84-1060 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(l) Frank & Helen C. Denny, P. O. Box 3049, Modesto, Lot 13 - \$137.64.

ACTION: Res. 74-1061 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

7-A. Hearings on costs of alley improvements, continued.

7:30 P.M.

BLOCK 5321

- (m) Richard E. & Josephine T. Fernandes, 402 Los Cedros Way, Lot 12 - \$135.10.

ACTION: Res. 74-1062 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (n) John D. & Elva F. Hughey, 1122 Arboleda Dr., Lot 11 - \$135.10.

ACTION: Res. 74-1063 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (o) Helen M. Quaresma, 1118 Arboleda Dr., Lot 10 - \$135.10.

ACTION: Res. 74-1064 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (p) Walter A. & Nancey J. Wilcoxson, 1114 Arboleda Dr., Lot 9 - \$135.10.

ACTION: Res. 74-1065 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (q) Charles R. & Elizabeth D. Prewitt, 1110 Arboleda Dr., Lot 8 - \$135.10.

ACTION: Res. 74-1066 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (r) Albert D. & Leota J. Camara, 1106 Arboleda Dr., Lot 7 - \$135.10.
(Paid - Drop from agenda)

DROPPED

- (s) Elden G. & Dona G. Kuewer, 1102 Arboleda Dr., Lot 6 - \$135.10.

DROPPED FROM AGENDA AS COSTS HAVE BEEN PAID

- (t) Willard & Margaret M. McCoy, 1030 Arboleda Dr., Lot 5 - \$135.10.
(Paid - Drop from agenda)

DROPPED

- (u) John N. Smith, Jr. & Maridale Smith, 1026 Arboleda Dr., Lot 4 - \$135.10.

ACTION: Res. 74-1067 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (v) William A. & Audrea A. Ford, 1022 Arboleda Dr., Lot 3 - \$135.10.

ACTION: Res. 74-1068 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (w) Leta E. Truelsen, 1018 Arboleda Dr., Lot 2 - \$133.92.

ACTION: Res. 74-1069 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

7-A. Hearings on costs of alley improvements, continued.

7:30 P.M.

BLOCK 5321

(x) Walter L. & Cleopathia L. Moore, 403 Los Olivos Way, Lot 1 - \$138.40.

ACTION: Res. 74-1070 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 3091

(a) Edward J. & Lois L. Westwood, 1714 Gold Court, Lot 20 - \$90.05.

ACTION: Res. 74-1071 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(b) Joyce M. Rios, 1710 Gold Court, Lot 19 - \$153.23.

ACTION: Res. 74-1072 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(c) Viole E. Richards, 1706 Gold Court, Lot 18 - \$275.88.

ACTION: Res. 74-1073 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(d) Warren L. & Barbara J. Baize, 1705 Gold Court, Lot 17 - \$102.98.

ACTION: Res. 74-1074 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(e) John & Anna Milich, 405 Sheridan St., Lot 6 - \$108.06.
(Paid - Drop from agenda)

DROPPED

(f) William J. & Helen G. Weisser, 409 Sheridan St., Lot 5 - \$104.03.

ACTION: Res. 74-1075 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(g) Billy F. & Helen M. Miller, 513 Sheridan St., Lot 4 - \$90.72.

ACTION: Res. 74-1076 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(h) Jessie V. & Marjorie Jo Echols, 517 Sheridan St., Lot 3 - \$111.12.

ACTION: Res. 74-1077 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(i) Walter R. & Sarah E. Crozier, 521 Sheridan St., Lot 2 - \$108.06.
(Paid - Drop from agenda)

DROPPED

7-A. Hearings on costs of alley improvements, continued.

7:30 P.M.

BLOCK 3091

(j) Clyde H. & Helen Oliver, 1633 Vicksburg St., Lot 1 - \$126.07.

ACTION: Res. 74-1078 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 586

(a) Warren T. & Mary R. Hanford, 510 Cedar Ave., Lot 46 - \$77.45.
(Paid - Dropt from agenda)

DROPPED

(b) Frank M. Sawdey, 1425 Baywood Dr., Lots 44-45 - \$93.15.

ACTION: Res. 74-1079 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(c) Peter Grosso, 238 High St., Lots 42-43 - \$93.15.
(Paid - Drop from agenda)

DROPPED

(d) Allen Sullivan, Jr. & Wayne T. Castleton, 234 High St., Lots 40-41 - \$93.15.

ACTION: Res. 74-1080 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(e) Ruth E. Rogers, 230 High St., Lots 38-39 - \$93.15.
(Paid - Drop from agenda)

DROPPED

(f) Robert B. Taro, 431 Garrison Ave., Lots 36-37 - \$93.15.

ACTION: Res. 74-1081 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(g) Bob O. & Shirley Burgess, 1610 Teakwood Dr., Lots 34-35 - \$93.15.

ACTION: Res. 74-1082 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(h) Eva Craven, 220 High St., Lots 32-33 - \$93.15.
(Paid - Drop from agenda)

DROPPED

(i) Lenna B. Crow, 526 Sycamore Ave., Lots 30-31 - \$93.15.

ACTION: Res. 74-1083 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(j) Dorothy E. Nowlin, 1700 McHenry Ave., Lots 28-29 - \$93.15.

ACTION: Res. 74-1084 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

7-A. Hearings on costs of alley improvements, continued.

7:30 P.M.

BLOCK 586

(k) William B. & Mildred Gillette, 206 High St., Lots 26-27 - \$93.15.

ACTION: Res. 74-1085 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(l) A. H. Leeper, 513 Redwood Ave., Modesto, Lots 24-25 - \$93.15.

ACTION: Res. 74-1086 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(m) Nancy A. Touchstone, 521 Redwood Ave., Modesto, Lots 22-23 - \$93.15.

ACTION: Res. 74-1087 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(n) Charles H. & Evelyn Guth, 205 Melrose St., Lots 20-21 - \$93.15.
(Paid - Drop from agenda)

DROPPED

(o) Albert J. Rose, Jr. & Bess C. Rose, 2820 Walnut Ave. #11, Carmichael, CA 95608 - Lots 18-19 - \$93.15.
(Paid - Drop from agenda)

DROPPED

(p) Sheila H. Duckworth & Helen H. Smith, 115 Jones St., Lots 16-17 - \$93.15.

ACTION: Res. 74-1088 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(q) Virgile L. & Veren A. Giddens, 412 Los Olivos Way, Lots 14-15 - \$93.15.

ACTION: Res. 74-1089 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(r) G. S. & Rena Candlish, 1209 Greenwood Dr., Lots 12-13 - \$93.15.
(Paid - Drop from agenda)

DROPPED

(s) Henry Lohman, P. O. Box 1911, Modesto, Lots 10-11 - \$93.15.
(Paid - Drop from agenda)

DROPPED

(t) Lucy D. McIntosh, 231 Melrose St., Lots 6-7-8-9 - \$186.30.
(Paid - Drop from agenda)

DROPPED

(u) Hazel L. Sevigny, 237 Melrose St., Lots 4-5 - \$93.15.

ACTION: Res. 74-1090 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 586

(v) Rosa Fontana , 241 Melrose St., Lots 2-3 - \$93.15.

ACTION: Res. 74-1091 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(w) Sam L. & Shelley K. Fontana, 245 Melrose St., Lot 1 - \$77.45.

ACTION: Res. 74-1092 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 6625

(a) Ronald R. & Patricia D. & Lyle Ray & Erlene B. Kelch, 2202 Geneva Dr., Lot 24 - \$140.15.

ACTION: Res. 74-1093 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(b) James Earl & Julia Curtis, 1417 Bowen Ave., Lot 23 - \$135.10.

ACTION: Res. 74-1094 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(c) Genevieve F. Lisher, 1413 Bowen Ave., Lot 22 - \$135.10.

ACTION: Res. 74-1095 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(d) Wade C. & Carlene Bozarth, 1409 Bowen Ave., Lot 21 - \$135.10.

ACTION: Res. 74-1096 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(e) Jack & Patricia Williams, 1405 Bowen Ave., Lot 20 - \$135.10.
(Paid - Drop from agenda)

DROPPED

(f) Charles K. & Wynema Y. Seller, 1401 Bowen Ave., Lot 19 - \$135.10.

ACTION: Res. 74-1097 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(g) Dae Wurts Dolling, 1329 Bowen Ave., Lot 18 - \$135.10.

ACTION: Res. 74-1098 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(h) Rick W. Jenkins, 1325 Bowen Ave., Lot 17 - \$135.10.

ACTION: Res. 74-1099 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

7-A. Hearings on costs of alley improvements, continued.

7:30 P.M.

BLOCK 6625

(i) James E. & Barbara S. Lewis, 1321 Bowen Ave., Lot 16 - \$135.10.

ACTION: Res. 74-1100 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(k) Robert L. & Glenadean J. Ganger, 1317 Bowen Ave., Lot 15 - \$135.10.
(Paid - Drop from agenda)

DROPPED

(l) Rebecca M. Olson, 1309 Bowen Ave., Lot 13 - \$135.10.

ACTION: Res. 74-1101 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(m) Robert J. & Elsie Boland, 2209 Rivera Dr., Lot 12 - \$140.15.

ACTION: Res. 74-1102 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(n) Eli & Esky Goodrum, 26705 Ellis St., Madera, CA 93637, Lot 11 - \$135.10.
(Paid - Drop from agenda)

DROPPED

(o) Reuben D. & Nobuko Byrd, 1310 Suzanne Ave., Lot 10 - \$135.10.

ACTION: Res. 74-1103 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(p) Dewey & Dollie F. Wise, 1321 Suzanne Ave., Lot 9 - \$135.10.

ACTION: Res. 74-1104 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(q) Phillip A. & Ida Austin, 1313 Suzanne Ave., Lot 8 - \$135.10.

ACTION: Res. 74-1105 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(r) Raymond C. & Gail L. Voss, 1322 Suzanne Ave., Lot 7 - \$135.10.

ACTION: Res. 74-1106 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(s) Marilyn Alcamo, 1106 Dakota Ave., Lot 6 - \$135.10.

ACTION: Res. 74-1107 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(t) Duane E. & Pearl M. Longmire, 3337 Keller St., Lot 5 - \$135.10.
(Paid - Drop from agenda)

DROPPED

BLOCK 6625

(u) Beverly J. Jones, 828 Grimes Ave., Lot 4 - \$135.10.

ACTION: Res. 74-1108 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(v) William W. & Crystal A. Hildreth, 1414 Suzanne Ave., Lot 3 - \$135.10.

ACTION: Res. 74-1109 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(w) James E. & Flo R. Cosgrove, 2325 Vivian Road, Lot 2 - \$135.10.

ACTION: Res. 74-1110 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(x) Warren L. & Agnes L. Petersen, 2210 Geneva Dr., Lot 1 - \$135.10.

ACTION: Res. 74-1111 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 717-A

(a) Joanne M. Groves, 714 Virginia Ave., Lot 36-37 - \$289.22.

ACTION: Res. 74-1112 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(b) Erma E. Grundy, 708 Virginia Ave., Lots 25-26-27-28 - \$180.28.

ACTION: Res. 74-1113 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(c) Hazel O. Goni, 725 Myron Ave., Lots 30-29-28 - \$103.05.
(Paid - Drop from agenda)

DROPPED

(d) Hazel I. Sanger, 717 Myron Ave., Lots 30-31-32 - \$104.09.
(Paid - Drop from agenda)

DROPPED

(e) Thelma Zingel, 709 Hackberry Ave., Lots 33-34-35-32 - \$180.34.
(Paid - Drop from agenda)

DROPPED

(f) Edward F. & Oree J. Bales, 715 Hackberry Ave., Lots 42-43 - \$278.92.
(Paid - Drop from agenda)

DROPPED

7-A. Hearings on costs of alley improvements, continued.

7:30 P.M.

BLOCK 6117

(a) Frank J. & Mary J. Francek, 1562 Tully Rd., Lots 18-19-20 - \$345.78.

ACTION: Res. 74-1114 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(b) Raymond M. McCormick, 1526 Tully Rd., Lot 17 - \$115.26.

ACTION: Res. 74-1115 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(c) Cynthia A. Martin, 1522 Tully Rd., Lot 16 - \$115.26.

ACTION: Res. 74-1116 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(d) Nellie B. McCormick, 1518 Tully Rd., Lot 15 - \$115.26.
(Paid - Drop from agenda)

DROPPED

(e) O. J. & Harriette Hackett, 1514 Tully Rd., Lot 14 - \$115.26.
(Paid - Drop from agenda)

DROPPED

(f) Cleo N. & Edna Primm, 1510 Tully Rd., Lot 13 - \$115.26.
(Paid - Drop from agenda)

DROPPED

(g) Hazel E. Vick, 1508 Tully Rd., Lot 12 - \$115.26.

ACTION: Res. 74-1117 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(h) John G. & Patsy J. Payne, 1506 Tully Rd., Lot 11 - \$112.42.

ACTION: Res. 74-1118 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(i) (Esther Montez, 1501 Stetson Ave., Lot 10 - \$112.42.

ACTION: Res. 74-1119 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(j) Joseph H. & Gladys M. Burdine, 1505 Stetson Ave., Lot 9 - \$115.26.
(Paid - Drop from agenda)

DROPPED

(k) Charles & Ruth Guy Forquer, 1509 Stetson Ave., Lot 8 - \$115.26.
(Paid - Drop from agenda)

DROPPED

7-A. Hearings on costs of alley improvements, continued.

7:30 P.M.

BLOCK 6117

(l) Joseph C. & Ruth C. Guy, 1513 Stetson Ave., Lot 7 - \$115.26.

ACTION: Res. 74-1120 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(m) Lawrence M. & Exie K. Rogers, 1517 Stetson Ave., Lot 7 - \$115.26.
(Paid - Drop from agenda)

DROPPED

(n) Billy G. & Erma E. Stepp, 1521 Stetson Ave., Lot 5 - \$115.26.

ACTION: Res. 74-1121 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(o) Florence May Harms, 1525 Stetson Ave., Lot 4 - \$115.26.
(Paid - Drop from agenda)

DROPPED

(p) John & Suzanne Turner, 1529 Stetson Ave., Lot 3 - \$115.26.

ACTION: Res. 74-1122 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(q) John G. Pauley, 1533 Stetson Ave., Lot 2 - \$115.26.

ACTION: Res. 74-1123 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(r) J. H. Baker, 1537 Stetson Ave., Lot 1 - \$115.26.

ACTION: Res. 74-1124 adopted (Dunlap/Elliott, unan. - Simon, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

8. Informal hearing regarding no parking zones on El Vista.

7:35 P.M.

ACTION: By motion (Elliott/Kullijian, unan.) no change approved at this time but staff directed to make a survey of through and left-turn traffic at Encina first and then at Miller and to report to Council. (P & T to handle)

9. Hearing - appeal of Dominico Frisone to administrative decision, Public Works Department, requiring 4" base rock and 2" AC for alley surfacing, southeast corner of Sunrise-Lucerne.

7:40 P.M.

ACTION: By motion (Dunlap/Newton, unan.) hearing continued to December 16 at 4:20 P.M. to allow staff time to present Council with accurate cost figures for alley surfacing. (P/W to handle)

10. Informal public hearing - preliminary strategy for use of Housing and Community Development Act of 1974 (HCDA) Block Grant Funds. 7:45 P.M.
(A report of the same title has been distributed to the Council and general public. The purpose of this hearing is for staff to briefly highlight the report, and encourage comments, written and oral, from interested citizens, citizen's groups and organizations. Memo: "Next Step - HCDA Block Grant Strategy" also distributed. Determine, next step; Staff recommends second informal public hearing at 5:00 P.M. December 16, 1974)

ACTION: Following the presentation, it was agreed to have a further discussion at 5:00 P.M. on December 16, 1974.

11. Matters for the good of the community. 7:50 P.M.
(These may be presented by interested persons in the audience)

ACTION: Tony Zacheli, 501 Myrtle Avenue, complained about speeding on Morris at Myrtle and asked to have corrective measures taken. Staff was directed to prepare a report for Council. (C/Mgr to handle)

ORDINANCES

CONSENT

12. Further consideration of Ordinance No. 1400-C.S. relating to second-hand dealers.
(Final adoption delayed on November 25 for two weeks to permit staff to work with coin dealers. Motion to not adopt needed)

ACTION: By motion, Ord. No. 1400-C.S. not adopted. (Clerk to handle)

13. Designate speed limits on several streets.
(The Police Department wishes to use radar for enforcement of speed limits on portions of Prescott Road, Standiford Avenue, Keller Street, and Coffee Road. Ordinance revising Sections 3-2.1401 and 3-2.1401.1 of Code needed)

ACTION: Ord. No. 1408-C.S. introduced (Kullijian/Dunlap, unan. - Simon, absent) designating speed limits. (Clerk to handle)

NEW BUSINESS

CONSENT

14. Agricultural lease agreement - Dry Creek Park - Donald and Margaret Scott.
(The agreement is for property purchased from Eula B. Scott, mother of Donald Scott, for Dry Creek Park. It provides for a term of one year ending October 31, 1975. The rental is 15% of the gross receipts from the crops produced on the property. Resolution approving lease agreement needed)

ACTION: Res. 74-1125 adopted approving lease agreement. (Clerk to handle)

CONSENT

15. Consider request of garbage companies for amendment of their franchises regarding swill and salvageable waste provisions.
(Memo with agenda. Resolution setting public hearing for 7:35 P.M., December 23, 1974 to consider request needed)

ACTION: Res. 74-1126 adopted setting hearing. (Clerk to handle)

CONSENT

16. Notification that Yosemite Insurance Company is the carrier providing the City's Errors & Omissions coverage.
(Memo with agenda. Resolution approving Yosemite Insurance Company as carrier needed)

ACTION: Res. 74-1127 adopted approving Yosemite Insurance Co. as carrier for errors and omissions coverage. (Clerk to handle)

CONSENT

17. Authorize increase in bus service petty cash fund from \$72 to \$104.
(Each of the present nine bus drivers is provided a change fund of eight dollars. Four new drivers are being hired and change funds will be needed for them. Resolution increasing Bus Service petty cash fund needed)

ACTION: Res. 74-1128 adopted increasing bus service petty cash fund to \$104. (Finance to handle)

CONSENT

18. Land acquisition - Tuolumne River Regional Park.
(The Tuolumne River Regional Park Committee is recommending purchase of 28 acres of Forcade property at 1500 Robertson Road for inclusion in the Tuolumne River Regional Park. Resolution authorizing purchase needed. Estimated cost \$60,000. Funds budgeted in Account 6329-323)

ACTION: Res. 74-1129 adopted authorizing purchase of property. (P & R to handle)

REPORTS

19. Report on request for increase in garbage rates.
(Memo with agenda. Resolution setting December 23, 1974 at 7:40 P.M. for hearing needed)

ACTION: Res. 74-1130 adopted (Mensingher/Newton, unan. - Simon, absent) setting hearing with the understanding that hearing will not be held then but will be continued to January 13, 1975 at 7:50 P.M.
(Clerk to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

20. Recommend amendment to Section 24-3-9 of the zoning map.
(On November 19, 1974, the Planning Commission adopted Resolution No. 74-193 recommending an amendment to Section 24-3-9 of the zoning map to prezone to medium density residential zone, R-2, property located on the east side of Lakewood Avenue between Orangeburg and Parkview Drive. Resolution setting public hearing January 13, 1975 at 7:45 P.M. needed)

ACTION: Res. 74-1131 adopted setting hearing. (Clerk to handle)

CONSENT

21. Tentative subdivision map of Jeffery Park.
(On December 3, 1974, the Planning Commission approved the tentative map of the Jeffery Park Subdivision and found that said subdivision, together with its design and improvements, is consistent with applicable general and specific plans of the City. The City Council is required to make the same findings. An environmental assessment of the subdivision has been made and a negative declaration filed. Resolution making findings needed)

ACTION: Res. 74-1132 adopted making findings. (Clerk to handle)

MISCELLANEOUS

22. Appointments.

NONE

23. Matters too late for the agenda.

NONE

Adjournment at 10:30 P.M.

ATTEST:

W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

Modesto City Council
Special Council Meeting
December 16, 1974

The Council of the City of Modesto met in Special Meeting at 12:00 o'clock noon in the Crown Room of the Covell Hotel and there were:

Present: Councilmembers: Dunlap, Elliott, Kullijian, Mesninger,
Simon, Mayor Davies
Absent: Councilmember: Newton

In addition to City staff, there were two representatives of Caltrans, one from SAAG and one from the consulting firm of Peet, Marwick, Mitchell and Company.

The transportation plan for Stanislaus County which is being prepared by Caltrans was discussed but no formal action was taken by the City Council.

The meeting adjourned at 2:15 P.M.

ATTEST:


W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, DECEMBER 16, 1974 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Simon, Mayor Davies

Absent: None
(Councilmember Newton arrived at 4:05 P.M.)
(Councilmember Simon arrived at 4:08 P.M.)

Pledge of allegiance to the Flag.

Invocation by Reverend George Weber, First Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 15, 16,
Dunlap/Mensinger, unan. - Newton and 17, 18, 20, 22, 23, 24, 25
Simon, absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of December 9, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request of Airport Garbage Co. for permission to transfer industrial waste portion of license to Gilton Industrial Waste Co., Inc.
(Resolution setting January 6, 1974 at 4:00 P.M. for hearing needed)

ACTION: Res. 74-1133 adopted setting hearing. (Clerk to handle)

CONSENT

3. Appeal by Charles Fenley to conditions imposed by Planning Commission and to fees required by administrative decision of staff in connection with tentative parcel map of property located at the northwest corner of Wylie Drive Oakdale Road.
(Resolution setting January 6, 1975 at 4:05 P.M. for hearing needed)

ACTION: Res. 74-1134 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT

4. Consider acceptance of Flintkote Company's contract for grading, concrete work and paving at Woodrow Park.
(Original contract \$26,550. All work on this project has been completed to the satisfaction of the Parks and Public Works Departments. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final contract cost \$26,796.96. Funds are budgeted)

ACTION: Res. 74-1135 adopted accepting contract. (Clerk to handle)

CONSENT

5. Consider award of contract for demolition of two-story residence and topping trees at 2909 River Road.
(Bids were opened December 10 at 11:00 A.M. The low bid submitted by Modesto Sand & Gravel, Inc., which is \$3,675 and 52.5% under the Engineer's Estimate, is considered acceptable. It is recommended by Public Works Department that the bid be accepted and the contract awarded to them. Resolution awarding contract needed. Funds are budgeted)

ACTION: Res. 74-1136 adopted awarding contract to Modesto Sand & Gravel, Inc. (P/W to handle)

CONSENT

6. Consider approval of change Order No. 1 for construction of waterlines in Veneman Avenue.
(It is necessary to move the location of the proposed waterline. See memo with agenda. Motion accepting report needed. Estimated cost \$7,700. Funds are budgeted)

ACTION: By motion, report accepted. (P/W to handle)

HEARINGS

7. Hearing on annexation of Spring Creek Addition to City of Modesto. 4:00 P.M.

ACTION: Res. 74-1137 adopted (Dunlap/Kullijian, unan. - Newton and Simon, absent) declaring no majority protest made. (Clerk to handle)

Ord. No. 1409-C.S. adopted (Dunlap/Kullijian, unan. - Newton and Simon, absent) annexing area.

Res. 74-1138 adopted (Dunlap/Kullijian, unan. - Newton and Simon, absent) directing Director of Planning to file Notice of Environmental Impact. (Planning to handle)

8. Hearing on amendment to Section 7-3-9 of zoning map to rezone from R-1 to R-2 property on north side of Standiford and Hetch Hetchy right of way and west of Carver Road. 4:05 P.M.
(Horn Construction)

ACTION: Ord. No. 1410-C.S. introduced (Kullijian/Mensing, unan. - Simon, absent) rezoning area. (Clerk to handle)

Res. 74-1139 adopted (Kullijian/Mensing, unan. - Simon, absent) directing Director of Planning to file Notice of Environmental Impact. (Planning to handle)

9. Hearing on amendment to Section 9-3-9 of zoning map to rezone from P-D(47) to R-1, property at northwest corner of Sylvan and Coffee. (Berberian property) 4:10 P.M.

ACTION: (Councilmember Kullijian was excused from consideration of items 9 and 10 due to a conflict of interest)

Ord. No. 1411-C.S. introduced (Dunlap/Elliott, unan. - Kullijian, absent) rezoning area. (Clerk to handle)

Res. 74-1139-A adopted (Dunlap/Elliott, unan. - Kullijian, absent) directing Director of Planning to file Notice of Environmental Impact. (Planning to handle)

10. Hearing on amendment to P-D(53) (Berberian) to allow direct vehicular access from P-D(53) to Sylvan and Coffee. 4:10 P.M.

ACTION: Res. 74-1140 adopted (Dunlap/Elliott, unan. - Kullijian, absent) amending P-D(53)(Clerk to handle)

11. Hearing on appeal to requirement for EIR in connection with P-D application for property at Oakdale and Wyle. (Fenley) 4:15 P.M.

ACTION: Res. 74-1141 adopted (Elliott/Dunlap, unan.) denying appeal but allowing use of prior EIR provided that the three items which concerned the Environmental Assessment Committee are answered. (Planning to handle)

12. Continued hearing on appeal by Dominico Frisone to administrative decision of Public Works Department requiring 4" base rock and 2" AC surfacing of alley at southeast corner of Sunrise and Lucerne. (Public Works has withdrawn its requirement for 4" base rock. Memo with agenda) 4:20 P.M.

ACTION: Res. 74-1142 adopted (Simon/Newton, unan.) granting appeal due to reassessment by Public Works Department. (P/W to handle)

13. Matters for the good of the community. (These may be presented by interested persons in the audience) 4:25 P.M.

ACTION: None.

The Council retired to executive session at 4:35 P.M. to consider appointments to a Citizens Advisory Committee in connection with Housing and Community Development Act of 1974 and returned to open meeting at 5:00 P.M.

14. Further consideration of Housing and Community Development Act of 1974 (HCDA) Block Grant Funds. 5:00 P.M.

ACTION: Following a presentation by the Director of Planning, the following action was taken:

Res. 74-1143 adopted (Dunlap/Simon, unan.) appointing Councilmembers Elliott and Kullijian, Planning Commissioners Martin and Muratore, Human Rights Commissioner Thurston and Member-at-large Adele Hyman as the HCDA Advisory Committee with Elliott as chairman. (C/Mgr to handle)

ORDINANCES

CONSENT

15. Final adoption of the following:

(a) Ordinance No. 1406-C.S. - amending Section 29-3-9 of zoning map.

ACTION: By motion, Ord. No. 1406-C.S. adopted. (Clerk to handle)

(b) Ordinance No. 1407-C.S. - amending Section 19-3-9 of zoning map.

ACTION: By motion, Ord. No. 1407-C.S. adopted. (Clerk to handle)

CONSENT

15. Final adoption of the following, (continued)

(c) Ordinance No. 1408-C.S. - amending speed limits.

ACTION: By motion, Ord. No. 1408-C.S. adopted (Clerk to handle)

UNFINISHED BUSINESS

CONSENT

16. Tentative Plan 911 system.

(Memo with agenda. Resolution authorizing City Manager to approve 911 Plan needed)

ACTION: Res. 74-1144 adopted authorizing City Manager to approve Tentative 911 Plan. (C/Mgr to handle)

NEW BUSINESS

CONSENT

17. Approve letter agreement with Dr. and Mrs. Waldo Ray Nelson for relocation expenses from residence at 2909 River Road.

(Property has been acquired by the City for airport clear zone purposes. Resolution approving agreement needed. Estimated cost \$2,378.49. Funds are budgeted)

ACTION: Res. 74-1145 adopted approving agreement. (Finance to handle)

CONSENT

18. Consider suspension of mandatory sidewalk program until Spring, 1975.

(Memo with agenda. Motion accepting report needed)

ACTION: By motion, report accepted. (P/W to handle)

19. Request from Modesto City Schools requesting City to participate in the cost of renovating Modesto High School pool.

(They estimate the cost of renovation to be \$30,600 and are asking the City to pay one-half, or \$15,300. Motion agreeing to pay 50% of the cost, or \$15,300, whichever is the lesser, toward the cost of renovating Modesto High School pool needed. Resolution approving appropriation transfer of \$15,300 from reserve needed)

ACTION: By motion (Dunlap/Newton, unan. - Simon, absent) agreement indicated to pay 50% of cost or \$15,300, whichever is the lesser. (P & R to handle)

Res. 74-1146 adopted (Dunlap/Newton, unan. - Simon, absent) approving appropriation transfer of \$15,300 from Account 60-321 to Account 6353-31-321. (Finance to handle)

CONSENT

20. Authorize City Manager and Director of Public Works to sign grant agreement for Step 1 grant from EPA for preparation of project report on waste treatment.

(Memo with agenda. Resolution needed)

ACTION: Res. 74-1147 adopted authorizing City Manager and Director of Public Works to sign grant agreement. (P/W to handle)

21. Consider approval of final map of the Carver Glen Subdivision of the City of Modesto and authorization of an agreement with subdividers as required by Section 4-4.604(a) of the Modesto Municipal Code. (The subdivision agreement has been signed and all fees paid. Carver Glen Subdivision is located on the east side of Carver Road north of Hetch Hetchy right of way. It contains 20.052 acres. Resolution approving final map needed)

ACTION: Res. 74-1148 adopted (Kullijian/Elliott, unan.) approving final map. (Clerk to handle)

(a) Letter from Attorney Gerald Douglas.
(Letter with agenda)

ACTION: Attorney Douglas withdrew his objections to the approval.

REPORTS

CONSENT

22. Presentation of financial statement for November 1974,
(Copies of report with agenda. Motion accepting report needed)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

23. County referral of open space contract - Primo and Edvige Freddi, north side of Woodland Avenue, 1/4 mile west of Morse Avenue, 3137 Woodland Ave.
(Memo with agenda. Resolution expressing recommendation of no opposition to the County Board of Supervisors)

ACTION: Res. 74-1149 adopted expressing no opposition. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

24. Request for appropriation transfer.
(This transfer is necessary for the repair of roof at King-Kennedy Memorial Center. We were unaware that there was a problem with the roof at the time the budget was prepared. This is an emergency item. Resolution approving appropriation transfer of \$475 needed)

ACTION: Res. 74-1150 adopted approving appropriation transfer of \$475 from Account 60-101 to Account 224-30-101. (Finance to handle)

CONSENT

25. Appropriation transfer for Personnel Office.
(Memo with agenda, Resolution approving transfer of \$15,100 from General Reserve needed)

ACTION: Res. 74-1151 adopted approving appropriation transfer of \$15,100 from Account 60-101 to Account 230 (\$500), 235 (\$600) and Account 421 (\$14,000), Dept. 17, Fund 101. (Finance to handle)

MISCELLANEOUS

26. Appointments.

ACTION: Res. 74-1152 adopted (Mensingher/Elliott, unan.) appointing Warren F. Wegis as an additional member of the Farm-City Advisory Committee for a term ending May 1, 1979. (Clerk to handle)

26. Appointments, (continued)

ACTION: Res. 74-1153 adopted (Mensingher/Elliott, unan.) appointing Barbara Darpinian as a member of the Human Rights Commission to succeed Mrs. Nickie Cardenas for a term ending May 1, 1975. (Clerk to handle)

27. Matters too late for the agenda.

NONE

Adjournment at 5:20 P.M.

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, DECEMBER 23, 1974 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Simon, Mayor Davies
Absent: None

Pledge of allegiance to the Flag.

Invocation by Reverend Douglas Vander Wall, Christian Reformed Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 8a, 9, 10, 11,
Item 19 removed from consent 12, 13, 14, 15, 16, 17, 18, 20,
Dunlap/Newton, unan. 21

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some council member or member of the audience 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of December 16 (noon) and 16 (4:00 P.M.), 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request of Dennis Leo Franklin for certificate of public convenience and necessity to operate a Dial-A-Ride taxi service and for two cab stands.
(Resolution setting January 6, 1975 at 4:00 P.M. for hearing needed)

ACTION: Res. 74-1154 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT

3. Consider approval of plans and specifications and call for bids for construction of a subtrunk sewer in Carver Road - Cheyenne Way to Brixton Lane.
(Suggested bid opening date January 7, 1975 at 11:00 A.M. This sub-trunk sewer will serve subdivisions being developed along Carver Road. Resolution approving plans, specifications and bid call needed.
Estimated cost \$37,460 (\$34,685, Constr.; \$2,775 Engr. & Insp)

ACTION: Res. 74-1155 adopted approving plans and specifications and bid call. (Clerk to handle)

HEARINGS

4. Matters for the good of the community. 7:30 P.M.
(These may be presented by interested persons in the audience)

ACTION: Albert Escalante requested the Council to study material concerning a proposal for a national police force.

5. Hearing on amendments to Sections 31-3-9 and 6-4-9 of zoning map to prezone to R-3 properties on both sides of Paradise between Ellen Avenue and Vernon Avenue. 7:30 P.M.
(To be continued to January 13, 1975 at 7:40 P.M.
Motion continuing hearing needed)

ACTION: By motion (Dunlap/Newton, unan.) hearing continued to January 13, 1975 at 7:40 P.M. (Clerk to handle)

(Councilmember Kullijian was excused from consideration of this item due to a conflict of interest)

6. Hearing on request for amendment of franchise on swill and salvageable waste provisions. 7:35 P.M.

ACTION: Ord. No. 1412-C.S. introduced (Simon/Elliott, unan.) amending franchise Airport Garbage Service.

Ord. No. 1413-C.S. introduced (Simon/Elliott, unan.) amending franchise Modesto Garbage Company, Inc, dba Modesto Disposal Service.

Ord. No. 1414-C.S. introduced (Simon/Elliott, unan.) amending franchise Ronald T. Driscoll and Diane M. Driscoll, dba Orange Line Sanitation Company.

Ord. No. 1415-C.S. introduced (Simon/Elliott, unan.) amending franchise Sanders Brothers, Inc., dba Sanders Garbage Company. (Clerk to handle)

7. Hearing on request for increase in garbage rates. 7:40 P.M.
(NOTE: This will be continued to January 13, 1975 at 7:50 P.M. Motion continuing hearing needed)

ACTION: By motion (Mensing/Dunlap, unan.) hearing continued to January 13, 1975 at 7:50 P.M. (Clerk to handle)

ORDINANCES

8. Final adoption of the following:

CONSENT

- (a) Ord. No. 1410-C.S. amending Section 7-3-9 of the zoning map. (Horn Construction)

ACTION: By motion, Ord. No. 1410-C.S. adopted.

- (b) Ord. No. 1411-C.S. amending Section 9-3-9 of the zoning map. (Berberian)

ACTION: (Councilmember Kullijian was excused from consideration of this item due to a conflict of interest)

By motion (Dunlap/Elliott, unan. - Kullijian, absent) Ord. No. 1411-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

9. Report of Superintendent of Streets on the cost of alley resurfacing at the locations listed below:
(14 resolutions setting 7:30 P.M. January 27, 1975 for hearings needed. Contract costs listed below with properties. Funds are budgeted)

CONSENT

9. Report of Superintendent of Streets, (continued)

BLOCK 128

- (a) Fred A. Stoll, 630 16th St., Modesto, CA 95354, Lots 31 & 32, \$103.29.
- (b) Ada M. Swanson, 1209 S. Minaret, Turlock, CA 95380, Lots 29 & 30, \$103.29
- (c) Stephen C. & Linda L. Bakke, P. O. Box 1104, Turlock, CA 95380, Lots 27 & 28, \$103.29.
- (d) H. Wayne & Marjorie I. Davis, 1708 Joann St., Lots 25 & 26, \$103.29.
- (e) Melissa Bishop, 604 16th St., Lots 23 & 24, \$103.29.
- (f) John E. Gustafson, 125 Lee St., Lots 21 & 22, \$103.29.
- (g) William F. DeLane, P. O. Box 423, Lots 17, 18, 19, 20 - \$206.58.
- (h) Ken Iverson, 2813 Paradise Road, Lots 15 & 16 - \$103.29.
- (i) Angie M. Tice, 605 17th St., Lots 13 & 14 - \$103.29.
- (j) Robert W. Cole, 302 Burney Ave., Lots 9, 10, 11, 12 - \$206.58.
- (k) Frances Achterberg, 2401 Monte Vista Ave., Lots 7, 8, - \$103.29.
- (l) George F. & Jacqueline M. Silveira, 1506 Kent Way, Lots 5 & 6 - \$103.29.
- (m) Octomedent Inc., P. O. Box 1877, Lots 1, 2, 3, 4 - \$206.58.

ACTION: Res. 74-1156 adopted setting hearings. (P/W to handle)

BLOCK M

- (a) Ruth M. Pine, 202 Elmwood Ave., the SW 46.8 feet of Lots 1, 2, 3, & 4 - \$211.68.
- (b) Tillie Estrada, 817 Westwood Drive, Lot 5 - \$105.84.
- (c) Fred H. Wymore, 1904 Toyon, Lots 7, 8, 9 - \$208.72.
- (d) Adelia Felt and Myers, 612 17th St., Lots 22, 23 - \$94.20.
- (e) John C. and Bernice N. Wein, 3105 Williamsburg Way, Lots 24, 25, 26 - \$158.76.
- (f) Maurice H. and Florence M. Parker, 626 17th St., Lots 27, 28 - \$105.84.
- (g) Maurice H. & Florence M. Parker, 626 17th St., Lots 29, 30 - \$105.84.
- (h) Sofia K. & Stylianos N. Vackimes et al, 628 17th St., Lots 31, 32 - \$105.84.

ACTION: Res. 74-1157 adopted setting hearings. (P/W to handle)

BLOCK 210

- (a) Maxine Tanner & Peter E. Pelucca, 219 Los Cedros Way, Lots 13, 14 - \$276.08.

CONSENT

9. Report of Superintendent of Streets, (continued)

BLOCK 210

- (b) Walter Stringer, 123 Walden St., Lots 10, 11, 12 - \$128.18.
- (c) Walter J. & Pearl M. Tweedy, 203 James St., Lots 9, 10 - \$69.02.
- (d) Josie B. Townsend, 209 James St., Lots 7, 8 - \$98.60.
- (e) Nellie Z. Barker, 213 James St., Lots 5, 6 - \$98.60.
- (f) Dora B. Trask, 217 James St., Lots 3, 4 - \$98.60.
- (g) Wayne E. & Helen M. Greenlee, 219 James St., Lots 1, 2 - \$98.60.
- (h) Janet A. Bettencourt, 118 Lane St., Lots 31, 32 - \$276.08.

ACTION: Res. 74-1158 adopted setting hearings. (P/W to handle)

BLOCK 403

- (a) Vivian L. Galeazzi & Brainard J. Galeazzi, Sr. 618 So. Franklin St., Lots 26, 27, 28 - \$155.93.
- (b) Lydia B. Dixon, 248 Ghormley, Oakland, CA 94603, Lots 24, 25 - \$103.96.
- (c) Larry D. & Janie Vail, 316 Walnut St., Lots 22, 23 - \$103.96.
- (d) Winnie Cornwell, c/o Winnie Kidd, 1772 Pauline Ave., Lots 19, 20, 21 - \$155.93.
- (e) Eva Thompson, 306 Walnut St., Lots 17, 18 - \$103.96.
- (f) George & Vinia Claxton, 617 Madison St., Lots 15, 16 - \$103.96.
- (g) A. Dale Dunkel, 434 Smith Ave., Lots 12, 13, 14 - \$155.93.
- (h) John Wesley Berry, 307 Vine St., Lots 9, 10, 11, - \$155.93.
- (i) Randall J. & Imogene White, 712 Tuolumen Blvd., Lots 7, 8 - \$103.96.
- (j) Richard L. & Suan Ann Suzuki, 203 Rowland, Lots 5, 6 - \$103.96.
- (k) Adam M. Seifert, 321 Vine St., Lots 3, 4 - \$103.96.
- (l) John Guidi, 325 Vine St., Lots 1, 2 - \$103.96.

ACTION: Res. 74-1159 adopted setting hearings. (P/W to handle)

BLOCK 445

- (a) Theodore M. & Patricia A. Cook, 508 Wentworth Lane, Lots 1, 2, 3, 4, 5 - \$1,480.60.
- (b) Maurice D. & Gayle Nordell, 1318 Oakwood Dr., Lots 6, 7 -
(cost assumed by (a) above)

ACTION: Res. 74-1160 adopted setting hearings. (P/W to handle)

CONSENT

9. Report of Superintendent of Streets, (continued)

BLOCKS 546 and 554

- (a) James L. & Marianna J. Buzbee, 227 Elmwood Ct., Lots 9, 10 - \$40.89.
- (b) Fred W. & Lenna E. Althoff, 1227 Highland Ave., Lots 7, 8 - \$138.29.
- (c) Ruth S. Lambert, 426 Magnolia Ave., Lots 5, 6 - \$103.72.
- (d) Drucilla Pearson, 430 Magnolia Ave., Lots 4, 5 - \$103.72.
- (e) Burton R. & Jean F. Pike, 3405 Lancashire Ln., Lots 2, 3 - \$80.24.
- (f) Evelyn Adair, 232 N. Morris Ave., Lots 1, 2 - \$76.63.
- (g) Michael J. & Judith L. Moradian, 215 Elmwood Ct., Block 554, Lot 17 - \$246.75.
- (h) Richard J. & Irene E. Hickey, 224 Morris Ave., Block 554, Lots 15, 16 - \$266.26.

ACTION: Res. 74-1161 adopted setting hearings. (P/W to handle)

BLOCK 1022

- (a) Calvary Lutheran Church, 547 Rose Ave., Block 1022 (portion) - \$597.69.

ACTION: Res. 74-1162 adopted setting hearing. (P/W to handle)

BLOCK 1047

- (a) Frederic L. Baer, 3135 Moon Ave., Stockton 95204, Lot 5 - \$1,211.72.
- (b) Alfred E. & Ruth Heike, 901 Coffee, Lot 1 - \$131.08.
- (c) Melvin A. & Edna G. Wells, 1206 Chadwick Ct., Lot 2, - \$118.32.
- (d) David C. & Martha M. Ehrlich, 1210 Chadwick Ct., Lot 3 - \$118.32.
- (e) Cornelius J., Jr. & Frances Hamilton, 1214 Chadwick Ct., Lot 4 - \$118.32.
- (f) Blanchard E. & Clyda A. Nichols, 1218 Chadwick Ct., Lot 5 - \$118.32.
- (g) Irvin L. & Dorothy Schrichfield, 1222 Chadwick Ct., Lot 6 - \$118.32.
- (h) Charles C. & Alma J. Austin, 1226 Chadwick Ct., Lot 7 - \$125.24.
- (i) Sandra Rossi, 3324 Stenbridge Ave., Lot 8 - \$118.34.
- (j) Andrew & Jo Ann Helen Van Dyk, 3543 Tully Rd., Suite C, Lot 9 - \$206.05.

ACTION: Res. 74-1163 adopted setting hearings. (P/W to handle)

BLOCKS 2197 & 2198

- (a) Herman G. & Neil Kanada, 185 Miller Ave., Lot 17 - \$98.27.
- (b) Joseph B. & Dorothy E. Carry, 208 Fusco Ave., Lot 18 - \$103.22.
- (c) Robert L. & Virginia L. Clark, 1901 Yosemite Blvd., Lot 19 - \$103.22.
- (d) Gary L. & Jeannie Lawrence, 216 Fusco Ave., Lot 20 - \$103.22.

CONSENT

9. Report of Superintendent of Streets, (continued)

BLOCK 2197 & 2198

- (e) Travis W. & Carol Townsend, 220 Fusco, Lot 21 - \$103.22.
- (f) Roiss R. & Violet Hill, 224 Fusco, Lot 22 - \$103.22.
- (g) Judy Breidenbaugh Sampere, 507 S. Hunt Dr., Mesa, Arizona 85204, Lot 23 - \$103.22.
- (h) Don D. & Suan M. Carter, 232 Fusco, Lot 24 - \$103.22.
- (i) M. L. & Ruth Goodman, RFD Box 593, Toledo, Oregon 97391, Lot 27 - \$103.22.
- (j) Phillip & Myrna Anderson, 236 Fusco, Lot 25 - \$103.22.
- (k) Catherine M. Thomas, 304 Fusco, Modesto, Lot 26 - \$103.22.
- (l) Axel G. & Vera Nystrom, 312½ Fusco, Lot 28, \$103.22.
- (m) Philip & Santena Fusco, 316 Fusco, Lot 29 - \$103.22.
- (n) Leon & Anita Dias, 320 Fusco, Lot 30 - \$103.22.
- (o) Gladys B. Woods, 324 Fusco, Lot 31 - \$123.86.
- (p) Theresa Mena, 328 Fusco, Lot 32 - \$134.18.
- (q) Harold M. & Gladys B. Powell, 332 Fusco, Lot 33 - \$113.54.
- (r) Jack E. & Wanda Leverone, 336 Fusco, Lot 34 - \$113.54.
- (s) Sophie L. & Suan M. Jaffe, 1124 Wessesley, Lot 8 - \$113.54.
- (t) Robert E. & Norma N. Waite, 344 Fusco, Lot 9 - \$113.54.
- (u) Steve & Lou Anne Bettencourt, 348 Fusco, Lot 10 - \$118.70.
- (v) C. D. & Ora Hamby, 352 Fusco, Lot 11 - \$118.70.
- (w) Vernon L. Craig, c/o Macy Brown & Fields Inc., P. O. Box 155, Pleasant Hill, CA, Lot 12 - \$123.86.
- (x) E. Soper, 345 La Loma, Lot 1 - \$119.67.
- (y) Melvin McDonald, 1705 Ruby Lane, Lot 2 - \$103.22.
- (z) Carroll M. Tweedy, 38 Sandview Dr., Pittsburg, CA, Lot 3 - \$103.22.
- (aa) Milton E. & Barbara J. Barber, 335 San Juan Dr., Lot 4 - \$103.22.
- (bb) Don T. & Beverly A. Rainey, 331 San Juan Dr., Lot 5 - \$103.22.
- (cc) Thomas E. & Mary Z. Bingham, 327 San Juan Dr., Lot 6 - \$103.22.
- (dd) Angela Merciadis, 788 Codoni Ave., Lot 7 - \$123.86.
- (ee) Angela Merciadis, 788 Codoni Ave., Lot 1 - \$123.86.
- (ff) Andrew & Joann Helen Van Dyk, 3312 Royalton, Lot 2 - \$103.22.
- (gg) Ida V. Hamilton, 309 San Juan Dr., Lot 3 - \$103.22.
- (hh) Aloma B. Prather, 307 San Juan Dr., Lot 4 - \$103.22.
- (ii) Bernard D. & Gloria D. Enarson, 305 San Juan Dr., Lot 5 - \$103.22.
- (jj) Ernest E. & Corrine N. Eisenhour, 245 San Juan Dr., Lot 6 - \$128.83.

CONSENT

9. Report of Superintendent of Streets, (continued)

BLOCK 2197 & 2198

- (kk) Dona B. Harper, Ruth A. Strickland, Reed D. & Hallis Harper, 243 San Juan Dr., Lot 7 - \$137.44.
- (ll) Carl L. & Laverna A. Phoenix, 239 San Juan Dr., (portion of Block) - \$193.04.
- (mm) Pauline Francone, Candida Calistro, Nicola & Ildabrande B. Francone, 225 San Juan Dr. (Portion of Block) - \$123.86.
- (nn) Clinton L. & Blanche R. Atwood, 221 San Juan Dr. (Portion of Block) - \$123.86.
- (oo) Antonio & Mary N. Palumbo, 219 San Juan Dr., (Portion of Block) - \$193.04.
- (pp) Paul D. Smith, P. O. Box 1926 (Portion of Block) - \$316.91.

ACTION: Res. 74-1164 adopted setting hearings. (P/W to handle)

BLOCK 6065

- (a) Robert H. & Bessie R. Palmer, 1445 Sherwood, Lot 10 - \$138.47.
- (b) Jack E. & Vera E. Finley, 427 Balboa Way, Lot 11 - \$138.47.
- (c) Thomasina Ricci, 433 Balboa Way, Lot 12 - \$138.47.
- (d) Ethel R. Goss, 438 Balboa Way, Lot 13 - \$138.47.
- (e) Charles E. & Phyllis A. Kincaid, 445 Balboa Way, Lot 14 - \$138.47.
- (f) Douglas E. & Marcia L. Hendrix, 501 Balboa Way, Lot 15 - \$138.47.
- (g) Walter I., Jr. & Lillian Spielman, 507 Balboa Way, Lot 16 - \$138.47.
- (h) Douglas M. & Elizabeth Brimm, 513 Balboa Way, Lot 17 - \$138.47.
- (i) Edward H. & Alyce Yarick, 519 Balboa Way, Lot 18 - \$146.44.
- (j) Cyrus E. Woodward, Jr. 1211 Magnolia, Lot 1 - \$146.40.
- (k) Philip C. & Frances D. Martin, 512 Bermuda Way, Lot 2 - \$138.47.
- (l) Nola Aitken, 506 Bermuda Way, Lot 3 - \$138.47.
- (m) Clifford D. & Burnice H. Larrabee, 500 Bermuda Way, Lot 4 - \$138.47.
- (n) Dorothy Busch, 444 Bermuda Way, Lot 5 - \$138.47.
- (o) Jerry L. & Joan M. Ferrera, 438 Bermuda Way, Lot 6 - \$138.47.
- (p) Winston B. & Allyne Lawless, 432 Bermuda Way, Lot 7 - \$138.47.
- (q) Elinor Haun, 426 Bermuda Way, Lot 8 - \$138.47.
- (r) Paul & Carolyn Doane, 1505 Sherwood Ave., Lot 9 - \$138.47.

ACTION: Res. 74-1165 adopted setting hearings. (P/W to handle)

CONSENT

9. Report of Superintendent of Streets, (continued)

BLOCK 6717

- (a) David & Natalie J. Hannah, 500 Standiford Ave., Lot 8 - \$940.51.
- (b) Lillian M. & Evelyn R. Allard, 1002 Mount Vernon Dr., Lot 6a - \$151.17.
- (c) Fay E. Gross & Velma L. Meyers, 1009 Phelps Ave., Lot 5a - \$151.63.
- (d) Ray W. & Catherine A. Bowman, 1015 Phelps Ave., Lot 4a - \$195.79.
- (e) Bobbie A. Gilmore, P. O. Box 1762, Salinas, CA, Lot 3a - \$158.84.
- (f) Allen D. Gilmore, P. O. Box 1762, Salinas, CA, Lot 2a, - \$163.70.
- (g) Richard T. Tosaw, P. O. Box 501, Ceres, CA, Lot 1 - \$177.28.

ACTION: Res. 74-1166 adopted setting hearings. (P/W to handle)

BLOCK 6726

- (a) William Singrey & Doris Mae Witzke, 2204 Tully Rd., - \$238.35.
- (b) William I. & Dorothy F. Nicholas, 2205 Monte Vista, Lot 20 - \$123.99.
- (c) William E. & Maryann Forston, 2209 Monte Vista Ave., Lot 19 - \$134.62.
- (d) Vancy M. Siciliani, 2213 Monte Vista, Lot 18 - \$134.62.
- (e) Harvey K. & Maxine Emig, 2217 Monte Vista, Lot 17 - \$134.62.
- (f) Loren E. & Frances C. Dick, 2301 Monte Vista, Lot 16 - \$134.62.
- (g) James R. & Carla H. Corn, 2305 Monte Vista, Lot 15 - \$134.62.
- (h) Bert R. & Carol M. Martin, 2309 Monte Vista Lot 14 - \$134.62.
- (i) Darwin C. & Dorthie J. Hamblin, 2313 Monte Vista, Lot 13 - \$134.62.
- (j) Florence C. Hubbard, 2317 Monte Vista, Lot 12 - \$141.08.
- (k) Marvin & Virginia S. Goodrow, 1216 Mount Vernon Dr., Lot 11 - \$139.32.
- (l) Aaron L. Layman, P. O. Box 134, Empire, Lot 10 - \$149.38.
- (m) Joe M. Molles, 1508 Dallas St., Lot 9 - \$132.54.
- (n) Gus N. & Kathleen Rentziperis, 1618 Linwood Dr., Lot 8 - \$132.54.
- (o) Carl R. & Irene Fischer, 4754 Dale Rd., Lot 7 - \$132.54.
- (p) Florene J. Owens, 1808 Bonanza Way, Lot 6 - \$132.54.
- (q) Florene J. Owens, 1808 Bonanza Way, Lot 5 - \$132.54.
- (r) Martin L. & Joan Ayala, 1121 N. Ham Lane, Lodi, Lot 4 - \$132.54.
- (s) Elizabeth Brenda, 2214 Tully Rd., Lot 3 - \$132.54.
- (t) Jerry S. & Adele Assad, 2206 Tully Rd., Lot 2 - \$132.54.
- (u) Jerry S. & Adele Assad, 2206 Tully Rd., Lot 1 - \$350.83.

ACTION: Res. 74-1167 adopted setting hearings. (P/W to handle)

CONSENT

9. Report of Superintendent of Streets, (continued)

BLOCK 6825

- Fred M. & Lois M. Nelsen, 402 Northgate Dr., Lot 23 - \$211.30.
- (b) Jack L. & Betty Dickman, 406 Northgate Dr., Lot 21, 22 - \$222.29.
 - (c) Lawrence A. & Dorothy B. Spellman, 410 Northgate, Lot 21 - \$199.53.
 - (d) Robert J. & Irene H. Crabtree, 502 Northgate, Lot 20 - \$211.30.
 - (e) Walker D. & Pauline Halliday, 506 Northgate, Lot 19 - \$211.30.
 - (f) William H. & Geraldine J. McLaughlin, 510 Northgate, Lot 18 - \$211.30.
 - (g) Louis F. & Jacqueline M. Gianelli, 602 Northgate, Lot 17 - \$190.17.
 - (h) Charles W. & Gloria Betner, 606 Northgate, Lot 16 - \$190.17.
 - (i) Rudolph & Helen M. Loeffler, 702 Northgate, Lot 15 - \$186.87.
 - (j) Bart M. & Georgia L. Bartoni, 706 Northgate, Lot 14, - \$201.79.
 - (k) June L. Convers, 710 Northgate, Lot 13 - \$211.30.
 - (l) Robert S. and Marie A. Hatch, 709 Northwood, Lot 12 - \$209.44.
 - (m) George R. & Betty Haynes, 705 Northwood Dr., Lot 11 - \$181.74.
 - (n) Ronald E. & Gail R. Simi, 701 Northwood Dr., Lot 10 - \$188.46.
 - (o) Jack W. & Roberta Rowland, 605 Northwood, Lot 9 - \$202.17.
 - (p) William S. & Mary Horton, 601 Northwood Dr., Lot 8 - \$188.99.
 - (q) William D. & Barbara Bradford, 513 Northwood Dr., Lot 7 - \$169.04.
 - (r) Rudy & Mary Bonzi, 509 Northwood Dr., Lot 6 - \$179.61.
 - (s) Donald H. & Phoebe J. Payne, 505 Northwood, Lot 5 - \$176.56.
 - (t) Haig & Isabelle Berberian, P. O. Box 3412, Lots 3, 4 - \$241.50.
 - (u) Clarence G. & Laverne Duke, 405 Northwood, Lots 2, 3 - \$208.13.
 - (v) Milford W. & Verna Julien, 401 Northwood, Lots 1, 2 - \$290.01.

ACTION: Res. 74-1168 adopted setting hearings. (P/W to handle)

BLOCK 6904

- (a) Walter & Elizabeth DeBrower, 305 Norwegian Ave., Lot 10 - \$167.28.
- (b) Pacifico & Maureen Fuentes, 313 Norwegian, Lots 11, 12 - \$153.00.
- (c) Suzanne R. Day, 319 Norwegian, Lots 12, 13 - \$142.80.
- (d) George E. & Ethel Bossemeyer, 325 Norwegian, Lots 13, 14 - \$132.44.
- (e) Ronald L. Kast, Sr., 401 Norwegian, Lots 14, 15 - \$132.42.
- (f) David M. Wine, 407 Norwegian, Lots 15, 16 - \$132.42.
- (g) Ronald F. & Jacquelyn S. Dewalt, 413 Norwegian, Lots 16, 17 - \$140.76.
- (h) Cinda L. Gilbert, 1905 LaCienega Dr., Lot 18 - \$128.26.

CONSENT

9. Report of Superintendent of Streets, (continued)

BLOCK 6904

- (i) Ted & Ruth A. Kirkendall, 408 Ribier, Lot 1 - \$148.12.
- (j) Carl S. & Bankey Lawson, 404 Ribier, Lots 2, 3 - \$138.72.
- (k) Vernon W. & Wanda Gaskill, 400 Ribier, Lots 3, 4 - \$138.72.
- (l) Roban F. & Nickie S. Grothaus, 316 Ribier, Lots 4, 5 - \$138.72.
- (m) Stanley R. & Doris A. Wallace, 1125 N. Wright, Santa Ana, CA 92701 - Lots 5, 6 - \$138.72.
- (n) Olen J. & Mavis Johnson, 308 Ribier, Lots 6, 7 - \$138.72.
- (o) James O. & Sonia M. Henman, 304 Ribier, Lot 8 - \$138.72.
- (p) Stella F. Garrison, 300 Ribier, Lots 8, 9 - \$148.92.

ACTION: Res. 74-1169 adopted setting hearings. (P/W to handle)

CONSENT

10. Consider proposed arrangement with Crocker Bank to demolish City and bank owned buildings on 10th Street, and consider proposed design of City Hall parking annex.
(Memo with agenda. Motion approving demolition arrangement and City Hall parking annex design. No cost at this time)

ACTION: By motion, approval given to demolition arrangement and parking lot design. (P & T to handle)

CONSENT

11. Approve new agreement for operating Parking Lot 12 - 9th Street between J and K Streets.
(A new agreement for city operation for two years has been agreed to by the owner. The terms are the same as the agreement that expired October 31, 1974. Resolution approving agreement needed)

ACTION: Res. 74-1170 adopted approving agreement. (P & T to handle)

CONSENT

12. Agricultural lease agreement, Beyer Park, Mr. and Mrs. Arnold Johnson.
(Lease is for a term commencing December 1, 1974 and ending June 30, 1975 for a rental of 15% of the gross receipts. Resolution approving agreement needed)

ACTION: Res. 74-1171 adopted approving agreement. (Clerk to handle)

CONSENT

13. Consider agreement with Jenks & Adamson for providing engineering service for preparation of Areawide Facilities Plan for the Water Quality Management Program for the City of Modesto and for the West Trunk Study.
(Memo with agenda. Resolution authorizing City Manager to execute agreement needed. Estimated cost \$57,000. Funds are budgeted)

ACTION: Res. 74-1172 adopted approving agreement. (Clerk to handle)

CONSENT

14. Consider offer to Salinas for 525 used parking meters.
(It is recommended that the City offer Salinas \$6,825 for these 5 year old meters to be used to replace 24 to 30 year old meters in Modesto. Report with agenda. Resolution waiving formal bid procedure and authorizing submission of an offer needed. Estimated cost \$6,825. Funds are budgeted)

ACTION: Res. 74-1173 adopted waiving formal bid procedure and authorizing submission of an offer. (P & T to handle)

CONSENT

15. Approve City participation in the joint City-State-County project to install new loop detectors for the McHenry-Standiford traffic signals.
(The present loop detectors were installed by the State in the wrong places and will not fit within the traffic lanes of the proposed center and lane line plan. Therefore, new loop detectors will have to be installed. Resolution approving City participation and resolution approving appropriation transfer of \$1,500 from General Reserve needed)

ACTION: Res. 74-1174 adopted approving City participation. (P & T to handle)

Res. 74-1175 adopted approving appropriation transfer of \$1,500 from Account 60-101 to Account 5305-56-101. (Finance to handle)

CONSENT

16. Amendment to Personnel Rule 13.4 concerning accumulation of unused vacation. Memo with agenda. Resolution approving adoption of revised rule needed)

ACTION: Res. 74-1176 adopted approving revised Personnel Rule. (Personnel to handle)

CONSENT

17. Correction in proposed City share of cost for renovating Modesto High School pool.
(The City's share of renovating Modesto High School pool was calculated at 50% of \$33,600, or an amount not to exceed \$15,300. The City's share of 50% should have been \$16,800. Action needed: (1) Motion authorizing City's participation up to 50% of the proposed \$33,600, cost not to exceed \$16,800. (2) Resolution authorizing additional appropriation transfer for an additional \$1,500)

ACTION: By motion, participation approved up to 50% of cost or \$16,800, whichever is the lesser. (P & R to handle)

Res. 74-1177 adopted approving appropriation transfer of \$1,500 from Account 60-321 to Account 6353-31-321. (Finance to handle)

REPORTS

CONSENT

18. Progress report on Ecology Action Curbside Recycling Program - 1974.
(Memo with agenda. Motion accepting report needed)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

19. Recommend amendment to Section 28-3-9 of zoning map, property located north of Yosemite Blvd., west of Las Flores Avenue. (On December 17, 1974, the Planning Commission adopted Resolution No. 74-216 recommending an amendment to Section 28-3-9 of the zoning map to rezone certain properties to make them consistent with the Modesto Urban Area General Plan. Resolution setting January 20, 1975 at 4:10 P.M. for public hearing needed)

ACTION: Res. 74-1178 adopted (Dunlap/Elliott, unan.) setting hearing with the understanding that at that time the hearing will be continued to February 3, 1975 at 4:00 P.M. (Clerk to handle)

CONSENT

20. Recommend amendment to Sections 24-3-8 and 19-3-9 of the zoning map - MJC West Area. (On December 18, 1974, the Planning Commission adopted Resolution No. 74-214 recommending an amendment to Section 24-3-8 and 19-3-9 of the zoning map to rezone certain property in order to make zoning consistent with the Modesto Urban Area General Plan. Resolution setting January 20, 1975 at 4:15 P.M. for public hearing needed)

ACTION: Res. 74-1179 adopted setting hearing. (Clerk to handle)

CONSENT

21. Vacation and abandonment of the 40-foot unimproved road right of way extending east from Carpenter Road approximately 1300 feet and being approximately 634 feet south of Blue Gum Avenue. (Smoot) (By Resolution No. 74-118 adopted July, 1974, the Planning Commission recommended to the City Council this vacation and abandonment. Resolution of intention to vacate and abandon and setting January 13, 1975 at 7:30 P.M. for public hearing needed)

ACTION: Res. of Intention 347 (1295-S.P.) adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

22. Appointments.

ACTION: Res. 74-1180 adopted (Elliott/Kullijian, unan.) appointing Henry Kamps as an additional member of the Farm-City Advisory Committee for a term ending May 1, 1975. (Clerk to handle)

23. Matters too late for the agenda.

ACTION: Vice Mayor Simon read a prepared statement upon his resignation as a member of the Council due to his election as a Stanislaus County Supervisor. He commended the Mayor, the Council and City staff. Each Councilmember and the Mayor then said a few words commending Mr. Simon.

Adjournment at 8:15 P.M.

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk