MODESTO CITY COUNCIL
RESOLUTION NO. 81-1

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF WATERLINE EXTENSION IN PRINCETON AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of waterline extension in Princeton Avenue **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on January 27, 1981, at 11:00 a.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th **day of** January, **19**81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-2

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF WATERLINE EXTENSION IN LINCOLN OAK DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of waterline extension in Lincoln Oak Drive **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on January 27, 1981, at 11:05 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th **day of** January, **19** 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-3

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINE EXTENSION IN FLOYD AVENUE AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of the waterline extension in Floyd Avenue has been completed by Joe Martin Pipeline, Inc.

in accordance with the contract agreement dated September 10, 1980.

NOW, THEREFORE, BE IT RESOLVED that the construction of the waterline extension in Floyd Avenue be accepted from said contractor, Joe Martin Pipeline, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $17,147.60 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of January, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-4

A RESOLUTION ACCEPTING THE BID OF EIGHT VENDORS AND AUTHORIZING THE ISSUANCE OF EIGHT PURCHASE ORDERS FOR ATHLETIC AND RECREATIONAL EQUIPMENT

WHEREAS, Resolution No. 80-1192, adopted by the Council of the City of Modesto on November 25, 1980, approved the plans and specifications for furnishing athletic and recreational equipment and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of athletic and recreational equipment, were opened at 2:00 p.m. on September 16, 1980, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the following eight vendors be accepted as the lowest responsible bidders:

Athletic Supply Co. of Calif.	$5,219.52	for Items 1,3,4,6,11,12,16,18, 26,30,32,33, and 34
Coast Marketing Group	$2,475.33	for Items 5,7,8,9,10,13,14,19, 20,21,22,23,24,27, and 28
Valley Sporting Goods	$1,106.62	for Items 2 and 13
Things From Bell	$ 79.55	for Items 31,35, and 36
Blumenfeld Sport Net Co.	$ 228.96	for Item 25
Oakland Toy Co.	$ 58.41	for Item 29
Jayfro Co.	$ 99.56	for Item 37
Fraser-Edwards Co.	$ 60.26	for Item 17.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of the above eight vendors be accepted for the Items indicated, and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of January, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-5

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF ONE PROGRAMMABLE TERMINAL WITH HAND-HELD WAND FROM NCR CORPORATION

WHEREAS, the Finance Department's Data Processing Division is requesting the purchase of one programmable terminal with a hand-held wand to be used to process utility payments directly into the computer eliminating the need for keypunching; and

WHEREAS, Data Processing is recommending the purchase of the NCR 2950 programmable terminal with wand because of its modular design which will allow development of a complete cash entry system in the future for Finance.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of one programmable terminal with hand-held wand .

BE IT FURTHER RESOLVED that purchase of one programmable terminal with hand-held wand from NCR Corporation for the total amount of $8,431.47 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of January, 1981, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-6

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINE EXTENSION AT PELANDALE AND DALE AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of the waterline extension at Pelandale and Dale has been completed by Joe Martin Pipeline, Inc.

in accordance with the contract agreement dated August 12, 1980.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterline extension at Pelandale and Dale be accepted from said contractor, Joe Martin Pipeline, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $45,691.75 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of January, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-7

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LARRY D. AND HEATHER L. GRAY FOR LEASE OF APARTMENT AT 1815 H STREET ON OLD LINCOLN SCHOOL SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Larry D. Gray and Heather L. Gray **for** lease of apartment at 1815 H Street on old Lincoln School site

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th **day of** January, **19** 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian

ATTEST: Norrine Cozzle
NORRINE COZZLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-8

A RESOLUTION APPROVING THE FINAL MAP OF THE STANDIFORD PLAZA SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, R. T. HUGHES CO., INC.

is (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 2.129 acres, known as the Standiford Plaza Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 16th day of July, 19 79, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Standiford Plaza Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of January, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Council-

member Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-9

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY DELTA BLOOD BANK TO A PLANNING COMMISSION DECISION CONCERNING REZONING PROPERTY AT THE CORNER AT EAST ORANGEBURG AND MELROSE AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that February 3, 1981, at 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Delta Blood Bank to a Planning Commission decision concerning rezoning property at the corner at East Orangeburg and Melrose Avenue.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** January, 19 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-10

A RESOLUTION ACCEPTING THE BID OF LEE WHITE PAVING FOR CONSTRUCTION OF THE FIRE PREVENTION BUREAU PARKING LOT

WHEREAS, Resolution No.80-127Q adopted by the Council of the City of Modesto on December 16, 1980 , approved the plans and specifications for the construction of the Fire Prevention Bureau parking lot and authorized the calling for bids; and

WHEREAS, the bids received for the construction of the Fire Prevention Bureau parking lot were opened at 11:00 a.m. on January 6, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Lee White Paving in the amount of $12,400 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Lee White Paving in the amount of $12,400 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January , 19 81 , by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-11

A RESOLUTION ACCEPTING THE CONSTRUCTION OF ROLFE CONSTRUCTION'S CONTRACT FOR CONSTRUCTION OF WATERLINE EXTENSION IN PANAMA AVENUE AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of waterline extension in Panama Avenue has been completed by Rolfe Construction

in accordance with the contract agreement dated September 10, 1980.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterline extension in Panama Avenue be accepted from said contractor, Rolfe Construction;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $19,552.10 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Cozle
NORRINE COZLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-12

A RESOLUTION ACCEPTING THE BID OF MOTOROLA,INC. FOR FURNISHING FOURTEEN GENERAL GOVERNMENT MOBILE RADIOS AND WAIVING A MINOR IRREGULARITY IN THE PROPOSAL SUBMITTED

WHEREAS, Resolution No.80-1175 adopted by the Council of the City of Modesto on November 18, 1980 , approved the plans and specifications for the purchase of fourteen (14) general government mobile radios and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of fourteen (14) general government mobile radois were opened at 2:20 p.m. on December 16, 1980 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Motorola, Inc. in the amount of $12,989.20 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Motorola, Inc. in the amount of $12,989.20 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January , 1981 , by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-13

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF TWO EIGHT INCH COMPOUND WATER METERS FROM HERSEY PRODUCTS, INC.

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of two eight inch compound water meters is hereby waived.

BE IT FURTHER RESOLVED that purchase of two eight inch compound water meters from Hersey Products, Inc. for the total purchase price of $12,671.24 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: _____
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-14

A RESOLUTION AMENDING SECTIONS 1 AND 2 OF RESOLUTION NO. 75-1058 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(134) (GREGORY DEVELOPMENT COMPANY, INC.)"

WHEREAS, the City Council, by Ordinance No. 1481-C.S. which was introduced on November 3, 1975, finally adopted on November 10, 1975, and which became effective on December 10, 1975, amended Section 23-3-9 of the Zoning Map to reclassify from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(134), property located at the southeast corner of Oakdale and East Orangeburg Avenue in the City of Modesto to allow construction of a professional office complex, and

WHEREAS, City Council Resolution No. 75-1058 which was adopted on November 3, 1975, approved a development plan for P-D(134) and contained the conditions of approval thereof, and

WHEREAS, a verified application for an amendment to P-D(134) was filed by Guarantee Savings & Loan and Lance Ellis on November 3, 1980 to revise the business and professional office layout on the plot plan, add a freestanding financial institution, and vary the sign standards on property located at the southeast corner of Oakdale Road and East Orangeburg Avenue; and

WHEREAS, said application was set for a public hearing before the Planning Commission on December 1, 1980 in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 80-302, found and determined that an amendment to P-D(134) to allow revision of the business and professional office layout on the plot plan, add a freestanding financial

institution, and vary the sign standards is required by public necessity, convenience, and general welfare for the following reasons:

1. The revised plot plan and modified sign request to match P-O sign regulations as noted herein with conditions of approval retains compatibility with the neighborhood, especially with adjacent single family residences.

2. The financial institution addition conforms to the city's recently adopted policy regarding financial institutions in office complexes.

and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, on January 13, 1981, and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to permit revision of the business and professional office layout on the plot plan, add a freestanding financial institution, and vary the sign standards is required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 80-302 and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Sections 1 and 2 of Modesto City Council Resolution No. 75-1058 entitled "A Resolution Approving a Development Plan for Planned-Development Zone, P-D(134)" are hereby amended to read as follows:

"SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D(134), is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan, elevations, and sign plans titled "Guarantee Savings, Modesto, Amendment to P-D Zoning" as amended in red, stamped approved by the Planning Commission on December 1, 1980.

2. That prior to the issuance of a building permit a landscaping and irrigation plan shall be submitted by the applicant and approved by the Director of Parks and Recreation and the Director of Planning and Community Development. The landscaping and irrigation system shall be installed and maintained in accordance with the approved landscaping and irrigation plan. Irrigation shall be by underground sprinkler system. The landscaping along the southerly and easterly sides of the property on the inside of the wall shall be designated 15-foot screen landscaping.

3. That prior to issuance of a building permit, 6 feet be dedicated to complete the 14-foot alley along the south property line and that at least the northerly 13 feet of the alley be improved to City of Modesto standards prior to occupancy of any building.

4. That prior to the issuance of a building permit the developer shall submit alley improvement plans prepared by a registered civil engineer and shall obtain approval from the Director of Public Works.

5. That prior to the issuance of a building permit, the applicant shall pay the City of Modesto the cost of planting street trees at the prevailing rate along the East Orangeburg Avenue and Oakdale Road frontages of the development.

6. That the development shall be connected to City of Modesto water and sewer facilities in accordance with the requirements of the Director of Public Works.

7. That all parking and driveway areas shall be improved in accordance with City standards including the provisions of Section 10-2.1801, 10-2.1804, and 10-2.1808 of the Municipal Code. All drainage facilities shall be provided in accordance with the requirements of the Director of Public Works.

8. That all trash shall be maintained within buildings or in fully enclosed trash areas in a location approved by the Director of Planning and Community Development. If trash enclosures are used they shall be constructed of the same building materials used in the major building or as determined by the Director of Planning and Community Development.

9. That all outdoor lighting shall be shielded from adjacent residential areas in accordance with requirements of the Director of Public Works.

10. All curbcuts serving two-way driveways shall be widened to 41 feet in width.

11. That a six-foot decorative masonry wall along the south and east property lines shall be constructed prior to occupancy. The wall construction may be phased, a portion of the south wall as any development occurs on proposed Parcel A and the balance of the south and east walls as any development occurs on proposed Parcel B. In the event of any traffic nuisances created by the gap in the wall provided by phased developed the applicant shall provide a post and cable or other suitable vehicular barrier within 30 days of receipt of written notice from the Director of Planning and Community Development.

12. No signs above 6 foot height shall be permitted on the easterly face of Building C on Parcel B and southerly face of Building B on Parcel A.

13. All signs shall comply with the sign requirements of the P-O Zone.

14. All conditions of City Council Resolution No. 75-1058 not in conflict with this action shall remain in full force and effect.

15. The developer shall, in a manner approved by the City Attorney, provide a vehicular accessway for onsite traffic circulation for the benefit of the two proposed properties, substantially as shown in red on the plot plan.

16. Prior to the issuance of a building permit for any structure, a parcel map creating Parcels A and B shall be recorded.

17. The applicant shall install one fire hydrant and the pipeline system therefor in accordance with the requirements of the Fire Chief. Hydrants shall be installed and operable prior to construction of any structures."

"SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D(134):

Phase I - start of construction by September 1, 1981
- completion of construction by September 1, 1982

Phase II - start of construction by October 1, 1981
- completion of construction by October 1, 1982"

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Mayor Mensinger

NOES: Councilmembers: Muratore, Siefkin

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-15

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO PLANNED DEVELOPMENT ZONE, P-D(134), TO REVISE THE PLOT PLAN AND ADD A FINANCIAL INSTITUTION (GUARANTEE SAVINGS & LOAN)

WHEREAS, on January 13, 1981, the City Council introduced Ordinance No. 2009-C.S. giving approval to a project relating to an amendment to Planned Development Zone, P-D(134), to revise the plot plan and add a financial institution, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Planned Development Zone, P-D(134), to revise the plot plan and add a financial institution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Mayor Mensinger

NOES: Councilmembers: Muratore, Siefkin

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn I. Johnson
ELWYN I. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-16

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 27-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (HOWARD G. BELL)

WHEREAS, on January 13, 1981, the City Council introduced Ordinance No. 2010-C.S. giving approval to a project relating to an amendment to Section Map 27-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Medium High Density Residential Zone, R-3, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 27-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Medium High Density Residential Zone, R-3.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-17

A RESOLUTION OVERRULING THE RECOMMENDATION OF THE PLANNING COMMISSION TO AMEND SECTION 7-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO TO REZONE FROM MEDIUM DENSITY RESIDENTIAL ZONE, R-2, TO PLANNED DEVELOPMENT ZONE, P-D(288), PROPERTY LOCATED ON SAN CLEMENTE AVENUE, CHEYENNE WAY, DOHENY WAY, SHELL COURT, AND AGATE DRIVE. (DAVID EARNSHAW)

WHEREAS, a verified application to amend Section 7-3-9 of the Zoning Map was filed by David Earnshaw on September 25, 1980, to rezone from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(288) to allow conversion of apartments to condominiums, property located on San Clemente Avenue, Cheyenne Way, Doheny Way, Shell Court and Agate Drive, described as follows:

All that real property situate in a Portion of the Northwest Quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the Southwest corner of said Northwest Quarter of Section 7; thence North 0°42'15" West, along the West line of said Northwest Quarter, 418.30 feet to the Southeasterly line of the 100 foot wide Modesto Irrigation District Lateral No. 7; thence North 42°26'00" East, along said Southeasterly line, 553.60 feet to the Southwesterly corner of Parcel 'E' as shown on map filed for record in Book 29 of Parcel Maps at Page 45, Stanislaus County Records, and the POINT OF BEGINNING of this description; thence continuing North 42°26'00" East, along said Southeasterly line of the Modesto Irrigation District Lateral No. 7, a distance of 459.69 feet to a point on a normal curve from which a radial line bears North 42°26'00" East to the center, said point being on the centerline of 60 foot wide Cheyenne Way; thence Southeasterly 107.24 feet along said centerline of Cheyenne Way and said normal curve, concave to the Northeast having a radius of 430.00 feet and a central angle of 14°17'20"; thence South 25°22'55" West along a non-tangent line, being the centerline of 60 foot wide Doheny Way, a distance of 40.93 feet; thence continuing along Doheny Way centerline Southwesterly 80.35 feet along a tangent curve, concave to the Northwest, having a radius of 270.00 feet and a central angle of 17°03'05"; thence continuing along said Doheny Way centerline South 42°26'00" West, along a tangent line, 224.69 feet to the intersection with the centerline of 60 foot wide San Clemente Avenue; thence South 47°34'00" East, along said San Clemente centerline, 123.59 feet; thence continuing along said San Clemente centerline, Southeasterly 109.25 feet, along a tangent curve, concave to the Southwest, having a radius of 330.00 feet and a central angle of 18°58'05";

thence North 61°24'05" East, along a radial line being the centerline of 50 foot wide Shell Court, a distance of 236.53 feet; thence North 89°17'30" East 140.00 feet; thence South 0°42'30" East 107.26 feet to the Northwest corner of Lot 38, Block 13358 of Winsor Tract No. 1, according to the official map thereof filed for record in Volume 27 of Maps at Page 56, Stanislaus County Records; thence North 89°17'30" East, along the North line of said Lot 38 and the easterly extension thereof, a distance of 125.00 feet to a point on the centerline of 50 foot wide Agate Drive; thence South 0°42'30" East, along said centerline of Agate Drive, 133.14 feet; thence South 22°12'36" West, 50.00 feet, to the Northeast corner of Lot 40 in said Block 13358 of Winsor Tract No. 1; thence South 0°42'30" East, along the East line of said Lot 40, a distance of 63.80 feet to the Southeast corner of said Lot 40; thence South 89°17'30" West along the South line of said Lot 40, a distance of 105.50 feet, to the Southwest corner of said Lot 40; thence North 0°42'30" West, along the West line of said Lot 40 and the Northerly extension thereof, a distance of 243.00 feet to the Southeasterly corner of Parcel 'M' as shown on map filed for record in Book 29 of Parcel Maps at Page 45, Stanislaus County Records; thence South 67°32'04" West, along the Southerly line of said Parcel 'M' and the Westerly extension thereof, a distance of 305.25 feet; thence South 82°10'25" West 30.00 feet to the centerline of said San Clemente Avenue; thence Northwesterly 99.00 feet along said centerline of San Clemente, being a normal curve, concave to the Southwest, having a radius of 330.00 feet and a central angle of 17°11'19" thence South 64°59'06" West 138.51 feet to the Southwesterly corner of Parcel 'I', as shown on said Parcel Map; thence North 24°36'31" West, along the Westerly line of said Parcel 'I' 59.36 feet; thence continuing along said Westerly line and the Northerly extension thereof North 47°34' West 272.37 feet to the point of beginning.

CONTAINING: 3.80 Acres,

and

WHEREAS, said application was set for a public hearing before the Planning Commission on November 3, 1980, and continued to November 17, 1980, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, thereafter the Planning Commission adopted Resolution No. 80-287 recommending to the Council an amendment to Section 7-3-9 of the Zoning Map to reclassify from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(288), the above described property, as requested by the applicant, and

WHEREAS, said matter was set for a public hearing before the Council of the City of Modesto at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on January 13, 1981, at which time evidence both oral and documentary was taken and introduced, and

WHEREAS, after said public hearing, the Council of the City of Modesto determined that the proposed rezoning from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(288), should be denied for the following reasons:

1. Many of the units are physically detached from each other.

2. The units are not located in a cohesive manner but are strung out along five streets.

3. The physical detachment of the units and the non-cohesive nature of the development would not be conducive to a viable homeowners association.

and

WHEREAS, in accordance with the provisions of Section 10-2.2103 of the Modesto Municipal Code, the Council, at its meeting held on January 13, 1981, determined that it was appropriate to waive the one year limitation for David Earnshaw to submit a new application to the Planning Commission for an amendment to Section 7-3-9 of the Zoning Map to reclassify the above described property,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the proposed rezoning, as recommended by the Planning Commission in its Resolution No. 80-287, to rezone from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(288), of the above described property, be denied for the reasons set forth above, and the recommendation of the Planning Commission is hereby overruled.

BE IT FURTHER RESOLVED that this Council finds and determines that the waiving of the one year limitation will not adversely affect the interest of the general public, and that said limitation is hereby waived.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: Bright

ABSENT: Councilmembers: Kullijian

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Pitcher
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-18

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $125,000 FOR PURCHASE OF LAND FOR EXPANSION OF EMPIRE SENIOR ELEMENTARY SCHOOL

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Contingency Reserve (61-04 8911 12)	$125,000
TO:	Empire Senior Elementary (6262-00)	$125,000

No funds are currently budgeted for this project. Based on Public Projects Committee recommendation to proceed with its purchase, a transfer is needed. Anticipated costs of parcel map, property appraisal and land purchase are covered by the $125,000.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** January, 19 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-19

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND QUADAIR, A PARTNERSHIP, FOR A GROUND LEASE ON THE NORTH SIDE OF THE AIRPORT ADJACENT TO MITCHELL ROAD TO BE USED FOR CONSTRUCTION OF A CORPORATE HANGAR

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Quadair, a partnership **for** a ground lease on the north side of the airport adjacent to Mitchell Road to be used for construction of a corporate hangar **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** January, 19 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-20

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DENNIS P. WHIPPLE AND PAULA B. WHIPPLE, dba WHIPPLE AVIATION FOR A NIGHT AERIAL ADVERTISING SERVICE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Dennis P. Whipple and Paula B. Whipple, dba Whipple Aviation **for** a night aerial advertising service

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** January, 19 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-21
AMENDED

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND CHARTER MEMBERS AND INTERNATIONAL TELCO SERVICES FOR PARTICIPATION OF THE CITY IN THE UNDERGROUND SERVICE ALERT (U.S.A.) ORGANIZATION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Charter Members and International Telco Services **for** participation of the City in the Underground Service Alert (U.S.A.) Organization **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** January, 1981, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-22

A RESOLUTION ESTABLISHING FLAT-RATE CHARGES FOR WATER SERVICE TO THE SYLVAN UNION SCHOOL DISTRICT.

WHEREAS, Section 11-1.11 of the Modesto Municipal Code provides that "the Council shall have the power to establish by agreement or resolution the rates to be charged for providing water services to government agencies, including school districts . . . on a basis that is fair and equitable to all the parties concerned," and

WHEREAS, under this section it has been the practice to establish flat rates for water service to schools by resolution, and

WHEREAS, Sylvan Elementary School has connected to the City water system since rates for water services for Sylvan Union School District were last established, and

WHEREAS, a flat-rate water service charge to schools is fair and equitable to both the City and the Sylvan Union School District in respect to providing water service,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that flat-rate water service charges for schools in the Sylvan Union School District be established according to the following formula:

A. Domestic Use
Schools K - 6 -- 10 cu. ft./pupil/month
Schools 7 - 8 -- 24 cu. ft./pupil/month

B. Irrigation
140,000 cu. ft./acre/year (Based on an eight (8) month irrigation season)

BE IT FURTHER RESOLVED by the Council that annual flat-rate water service charges are hereby established for the following schools in accordance with the formula set forth above based on the number of pupils enrolled in each school, and the area irrigated from the City water system:

Coleman F. Brown School:

(1)	1 to 300 pupils	$1,003.38
(2)	301 to 600 pupils	$1,027.35
(3)	601 plus pupils	$1,039.36

Sherwood School:

(1)	1 to 300 pupils	$1,006.83
(2)	301 to 600 pupils	$1,030.80
(3)	601 plus pupils	$1,042.81

Standiford School:

(1)	1 to 300 pupils	$1,009.33
(2)	301 to 600 pupils	$1,033.30
(3)	601 plus pupils	$1,045.31

Stockard Coffee School:

(1)	1 to 300 pupils	$1,172.84
(2)	301 to 600 pupils	$1,196.80
(3)	601+ pupils	$1,208.81

Woodrow Avenue School:

(1)	1 to 300 pupils	$ 55.80
(2)	301 to 600 pupils	$ 87.00
(3)	601 plus pupils	$ 102.60

Somerset Junior High School:

(1)	1 to 500 pupils	$ 409.15
(2)	501 to 800 pupils	$ 507.08
(3)	801 to 1,200 pupils	$ 604.99

Sylvan Elementary School

(1)	1 to 300 pupils	$ 239.80
(2)	301 to 600 pupils	$ 271.00
(3)	601 plus pupils	$ 286.60

BE IT FURTHER RESOLVED that the flat-rate water service charges established hereby shall be due and payable to City on November 1 of each year, commencing in 1981, except the flat rate water service charge for Sylvan Elementary School shall apply retroactively to November 1, 1980.

BE IT FURTHER RESOLVED that the determination of the number of pupils enrolled in each school shall be as of the 31st day of October of each year.

BE IT FURTHER RESOLVED that the Sylvan Union School District shall promptly notify City of any changes in area irrigated from the City water system, and that charges shall be immediately revised in accordance with said changes. Failure to promptly notify City may be cause for immediate requirement of metering of the premises.

BE IT FURTHER RESOLVED that all other property owned or controlled by the Sylvan Union School District and connected to the City water system shall receive water from the City water system on a regular metered basis.

BE IT FURTHER RESOLVED that the City Council reserves the right to amend this resolution at any time.

BE IT FURTHER RESOLVED that Resolution No. 79-1258 adopted by the City Council on December 4, 1979 is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-23

A RESOLUTION ESTABLISHING FLAT-RATE CHARGES FOR WATER SERVICE TO THE MODESTO CITY SCHOOLS.

WHEREAS, Section 11-1.11 of the Modesto Municipal Code provides that "the Council shall have the power to establish by agreement or resolution the rates to be charged for providing water services to government agencies, including school districts . . . on a basis that is fair and equitable to all the parties concerned," and

WHEREAS, under this section it has been the practice to establish flat rates for water service to schools by resolution, and

WHEREAS, Frontier High School has been disconnected from the City's water system since rates for water services to the Modesto City Schools were last established, and

WHEREAS, a flat-rate water service charge to schools is fair and equitable to both the City and the Modesto City Schools in respect to providing water service,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that flat-rate water service charges for schools in the Modesto City Schools' system be established according to the following formula:

A. Domestic Use
K - 6 Schools -- 10 cu. ft./pupil/month
7 - 8 Schools -- 24 cu. ft./pupil/month
High Schools -- 36 cu. ft./pupil/month

B. Irrigation
140,000 cu. ft./acre/year (Based on an eight (8) month irrigation season)

BE IT FURTHER RESOLVED by the Council that annual flat-rate water service charges are hereby established for the following schools in accordance with the

formula set forth above based on the number of pupils enrolled in each school, and the area irrigated from the City water system:

Beard School:

(1)	1 to 300 pupils	$ 155.35
(2)	301 to 600 pupils	$ 186.55
(3)	601 plus pupils	$ 202.15

Enslen School:

(1)	1 to 300 pupils	$ 135.88
(2)	301 to 600 pupils	$ 167.08
(3)	601 plus pupils	$ 182.68

Everett School:

(1)	1 to 300 pupils	$ 237.80
(2)	301 to 600 pupils	$ 269.00
(3)	601 plus pupils	$ 284.60

Fremont School:

(1)	1 to 300 pupils	$ 161.36
(2)	301 to 600 pupils	$ 192.56
(3)	601 plus pupils	$ 208.16

Garrison School:

(1)	1 to 300 pupils	$ 197.40
(2)	301 to 600 pupils	$ 228.60
(3)	601 plus pupils	$ 244.20

Lakewood School:

(1)	1 to 300 pupils	$ 787.04
(2)	301 to 600 pupils	$1,049.00
(3)	601 plus pupils	$1,061.02

Muir School:

(1)	1 to 300 pupils	$ 167.00
(2)	301 to 600 pupils	$ 198.20
(3)	601 plus pupils	$ 213.80

Robertson Road School:

(1)	1 to 300 pupils	$ 858.68
(2)	301 to 600 pupils	$ 882.64
(3)	601 plus pupils	$ 894.65

Rose Avenue School:

(1)	1 to 300 pupils	$ 941.26
(2)	301 to 600 pupils	$ 965.23
(3)	601 plus pupils	$ 977.24

Sonoma School:

(1)	1 to 300 pupils	$ 858.56
(2)	301 to 600 pupils	$ 882.52
(3)	601 plus pupils	$ 894.54

Washington School:

(1)	1 to 300 pupils	$ 330.07
(2)	301 to 600 pupils	$ 361.27
(3)	601 plus pupils	$ 376.87

Roosevelt Junior High School:

(1)	1 to 500 pupils	$ 496.46
(2)	501 to 800 pupils	$ 592.17
(3)	801 to 1,200 pupils	$ 678.54

Grace M. Davis High School:

(1)	1 to 500 pupils	$ 854.56
(2)	501 to 800 pupils	$ 984.16
(3)	801 to 1,200 pupils	$1,110.69
(4)	1,201 to 1,600 pupils	$1,268.77
(5)	1,601 to 2,000 pupils	$1,415.65
(6)	2,001 plus pupils	$1,489.09

Modesto High School:

(1)	1 to 500 pupils	$1,113.74
(2)	501 to 800 pupils	$1,243.34
(3)	801 to 1,200 pupils	$1,369.88
(4)	1,201 to 1,600 pupils	$1,527.96
(5)	1,601 to 2,000 pupils	$1,674.84
(6)	2,001 plus pupils	$1,748.28

Fred C. Beyer High School:

(1)	1 to 500 pupils	$3,674.38
(2)	501 to 800 pupils	$3,803.99
(3)	801 to 1,200 pupils	$3,930.52
(4)	1,201 to 1,600 pupils	$4,088.60
(5)	1,601 to 2,000 pupils	$4,235.48
(6)	2,001 plus pupils	$4,308.92

Pioneer High School:

(1)	1 to 300 pupils	$ 183.02
(2)	301 plus pupils	$ 214.22

BE IT FURTHER RESOLVED that the flat-rate water service charges established hereby shall be due and payable to City on November 1 of each year, commencing in 1981.

BE IT FURTHER RESOLVED that the determination of the number of pupils enrolled in each school shall be as of the 31st day of October of each year.

BE IT FURTHER RESOLVED that the Modesto City Schools shall promptly notify City of any changes in area irrigated from the City water system, and that charges shall be immediately revised in accordance with said changes. Failure to promptly notify City may be cause for immediate requirement of metering of the premises.

BE IT FURTHER RESOLVED that all other property owned or controlled by the Modesto City Schools and connected to the City water system shall receive water from the City water system on a regular metered basis.

BE IT FURTHER RESOLVED that the City Council reserves the right to amend this resolution at any time.

BE IT FURTHER RESOLVED that Resolution No. 79-648 adopted by the City Council on June 26, 1979, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-24

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE MC HENRY-DRY CREEK FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the McHenry-Dry Creek Fire Protection District in Stanislaus County was annexed to the City of Modesto as Scenic-Oakdale No. 2 Annexation by Resolution of the Board of Supervisors of the County of Stanislaus adopted on December 16, 1980, and said annexation officially became a part of the City of Modesto on December 30, 1980, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the McHenry-Dry Creek Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1981.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Kurt Campbell
Public Works Department

SCENIC-OAKDALE NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 22 and the Northeast quarter of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the DRY CREEK PARK NO. 1 ADDITION (290), as per description filed April 16, 1972 as Instrument 19654, Stanislaus County Records;

1. thence along the existing City Limits and a Western line of said ADDITION (290), South 00° 45' 00" East, 136.13 feet, to the South line of said Section 22;

2. thence continuing along the existing City Limits and a Western line of said ADDITION (290) South 00° 36' 00" East 50.59 feet;

3. thence contunuing along the existing City LImits and a Northern line of said Addition (290), the following bearings and distances, South 69° 22' 00" West 141.26 feet;

4. thence South 68° 39' 00" West, 105.48 feet;

5. thence South 00° 36' 00" East, 21.09 feet;

6. thence South 82° 20' 00" West, 99.48 feet;

7. thence North 00° 36' 00" West, 20.00 feet;

8. thence South 82° 20' 00" West, 99.48 feet;

9. thence South 00° 36' 00" West, 7.80 feet;

10. thence North 72° 20' 00" West, 103.93 feet;

11. thence North 00° 36' 00" West 12.00 feet;

12. thence South 88° 34' 00" West, 99.20 feet;

13. thence South 00° 36' 00" East, 12.00 feet;

14. thence North 89° 40' 00" West, 98.71 feet;

15. thence South 80° 40' 00" West, 99.85 feet;

16. thence South 72° 51' 00" West, 102.96 feet;

17. thence South 75° 53' 00" West, 101.50 feet;

18. thence North 87° 18' 00" West, 98.86 feet;

19. thence South 85° 25' 00" West, 98.91 feet, to the Eastern line of the SCENIC-ENCINA ADDITION (315), as per description filed February 27, 1974 as Instrument 33322, Stanislaus County Records;

20. thence continuing along the existing City Limits and the Eastern line of said ADDITION (315), North 00° 36' 00" West, 146.33 feet, to the Southern line of the STRATHMORE ADDITION (226), as per description filed February 13, 1969, as Instrument 4972, Stanislaus County Records;

21. thence continuing along the existing City Limits and the Southern line of said ADDITION (226), North 80° 15' 19" East, 617.74 feet, to a Southwestern corner of the ROSE AVENUE SCHOOL ADDITION (176), as per description filed March 30, 1965 as Instrument 12390, Stanislaus County Records;

22. thence continuing along the existing City Limits and a Southern line of said ADDITION (176), North 80° 15' 19" East, 616.58 feet, to the point of beginning, containing 5.292 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-25

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAN AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (SCENIC-OAKDALE NO. 2)

WHEREAS, there has been annexed to the City of Modesto by Resolution of the Board of Supervisors of the County of Stanislaus adopted on December 16, 1980, certain territory known as Scenic-Oakdale No. 2 Annexation, and

WHEREAS, the inclusion of the area contained in Scenic-Oakdale No. 2 Annexation to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Scenic-Oakdale No. 2 Annexation (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 223.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, February 24, 1981, at the hour of 7:30 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgement of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 223.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the

Council voting for and against it, to be published once a week for at least two (2) weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) The Northwest corner of the annexation at the South line of Scenic Drive.

(2) The South line of Scenic Drive approximately 400' East of the centerline intersection of Brook Vale Drive and Scenic Drive.

(3) The Northeast corner of the annexation at the South line of Scenic Drive approximately 100' West of the centerline intersection of Oakdale Road and Scenic Drive.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address

as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 223, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers Bright, Elliott, Lang, Muratore, Siefkin, Mayor Hensinger

NOES: Councilmembers None

ABSENT: Councilmembers Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ken Campbell
Public Works Department

130/000-00155-01/15/79

SCENIC-OAKDALE NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 22 and the Northeast quarter of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the DRY CREEK PARK NO. 1 ADDITION (290), as per description filed April 16, 1972 as Instrument 19654, Stanislaus County Records;

1. thence along the existing City Limits and a Western line of said ADDITION (290), South 00° 45' 00" East, 136.13 feet, to the South line of said Section 22;

2. thence continuing along the existing City Limits and a Western line of said ADDITION (290) South 00° 36' 00" East 50.59 feet;

3. thence continuing along the existing City LImits and a Northern line of said Addition (290), the following bearings and distances, South 69° 22' 00" West 141.26 feet;

4. thence South 68° 39' 00" West, 105.48 feet;

5. thence South 00° 36' 00" East, 21.09 feet;

6. thence South 82° 20' 00" West, 99.48 feet;

7. thence North 00° 36' 00" West, 20.00 feet;

8. thence South 82° 20' 00" West, 99.48 feet;

9. thence South 00° 36' 00" West, 7.80 feet;

10. thence North 72° 20' 00" West, 103.93 feet;

11. thence North 00° 36' 00" West 12.00 feet;

12. thence South 88° 34' 00" West, 99.20 feet;

13. thence South 00° 36' 00" East, 12.00 feet;

14. thence North 89° 40' 00" West, 98.71 feet;

15. thence South 80° 40' 00" West, 99.85 feet;

16. thence South 72° 51' 00" West, 102.96 feet;

17. thence South 75° 53' 00" West, 101.50 feet;

18. thence North 87° 18' 00" West, 98.86 feet;

19. thence South 85° 25' 00" West, 98.91 feet, to the Eastern line of the SCENIC-ENCINA ADDITION (315), as per description filed February 27, 1974 as Instrument 33322, Stanislaus County Records;

20. thence continuing along the existing City Limits and the Eastern line of said ADDITION (315), North 00° 36' 00" West, 146.33 feet, to the Southern line of the STRATHMORE ADDITION (226), as per description filed February 13, 1969, as Instrument 4972, Stanislaus County Records;

21. thence continuing along the existing City Limits and the Southern line of said ADDITION (226), North 80° 15' 19" East, 617.74 feet, to a Southwestern corner of the ROSE AVENUE SCHOOL ADDITION (176), as per description filed March 30, 1965 as Instrument 12390, Stanislaus County Records;

22. thence continuing along the existing City Limits and a Southern line of said ADDITION (176), North 80° 15' 19" East, 616.58 feet, to the point of beginning, containing 5.292 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on January 13, 1981, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Muratore, seconded by Councilmember Siefkin, and adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: January 13, 1981

Norrine Coyle

City Clerk of the City of Modesto, California.

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-26

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR THE ROSELAWN NO. 2 GOVERNMENTAL REORGANIZATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for the Roselawn No. 2 Governmental Reorganization Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City MODESTO

2. Name of Proposed Annexation ROSELAWN NO.2 GOVERNMENTAL REORGANIZATION

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

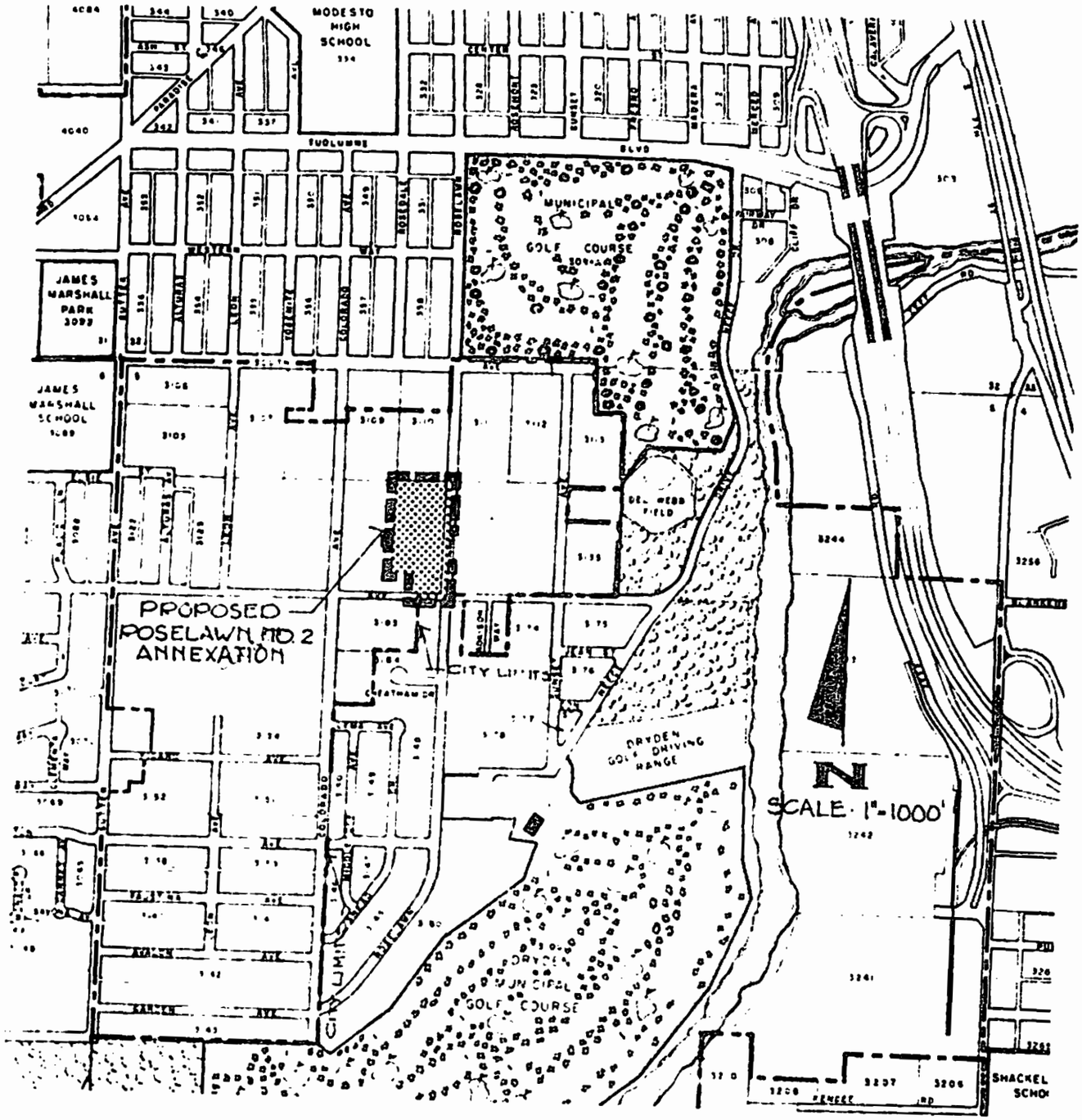
YES, WATER IS BY DEL ESTE WATER COMPANY

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

NO

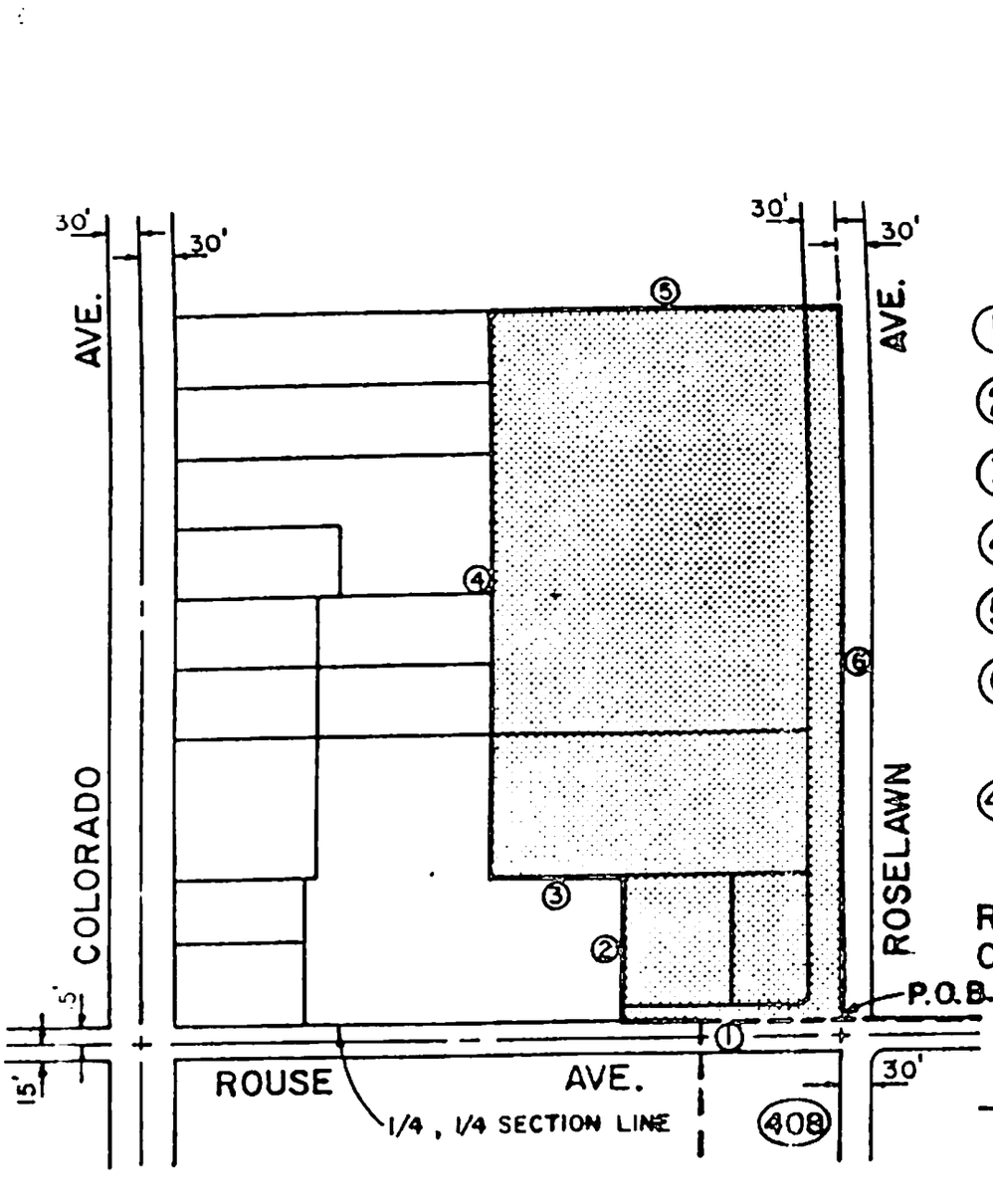
5. Other comments the city would like to make.

NO



PROPOSED ROSELAWN NO. 2 ANNEXATION

TO THE CITY OF MODESTO



①	S 89°45'00" W	202.11
②	N 00°03'00" W	132.00
③	S 89°45'00" W	127.89
④	N 00°03'00" W	528.00
⑤	N 89°45'00" E	330.00
⑥	S 00°03'00" E	660.00

(408) ROSELAWN-ROUSE ADDITION
Filed 6-26-80 Inst. 79691

REFERENCES ARE TO STANISLAUS COUNTY RECORDS.

---- PREVIOUS ANNEXATION BOUNDARY

BASIS OF BEARING: S 89°45'00" W FOR THE EAST-WEST QUARTER, QUARTER SECTION LINE AS PER MAP FILED IN VOL. 9, RECORD OF SURVEY, PAGE 123.

CITY OF MODESTO
ROSELAWN NO. 2
GOVERNMENTAL REORGANIZATION
4.612 ACRES

12-17-80 HEINTZ

5-A-417

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 27

A RESOLUTION ESTABLISHING A POLICY FOR PAYMENT OF ASSESSMENTS IN ANNUAL INSTALLMENTS BY PROPERTY OWNERS FOR INSTALLATION OF CURBS, GUTTERS AND SIDEWALKS WHEN SUCH INSTALLATION WORK IS PERFORMED BY THE CITY.

WHEREAS, Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of curbs, gutters and sidewalks may be required by and performed by the City, and

WHEREAS, periodically the Council of the City of Modesto receives requests from property owners to allow them to pay the cost of the installation of such curbs, gutters and sidewalks in installments over several years, instead of the total cost of such installations becoming a lien in the first year.

WHEREAS, Section 5895 of the Streets and Highways Code provides that the legislative body shall have the power, in its discretion, to determine that the payment of such assessments of Fifty and no/100ths ($50.00) Dollars or more may be made in annual installments, in any event not to exceed ten (10), and that such deferred payments shall bear interest on the unpaid balance at a rate to be determined by the legislative body, not to exceed seven (7%) percent per annum, said interest to begin to run on the thirty-first (31st) day after the confirmation of the assessments by the legislative body,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby establishes the following policy regarding the spreading of assessments for the cost of installation of curbs, gutters and sidewalks construction:

1. The Council will consider spreading assessments for such costs only when the City has not paid the property owner for the right-of-way on which the curbs, gutters and/or sidewalks were installed.

2. The property owner must make a written request for the spreading of assessments for such costs to either the staff or the City Council. Such written request must be made no later than the time set for hearing on the confirmation of such costs. Such written request shall state the number of years over which the property owner wants such costs spread and the basis for such request.

3. Only assessments for costs in excess of Fifty and no/100ths ($50.00) Dollars may be spread over more than one year.

4. Assessments for costs may be spread up to a maximum of ten (10) years.

5. Deferred assessments shall bear interest on the unpaid balance at the rate of seven (7%) percent per annum, said interest to begin to run on the 31st day after the confirmation of the assessments by the City Council.

6. The minimum amount of each annual installment shall be the sum of Fifty and no/100ths ($50.00) Dollars, which amount shall include principal and interest.

BE IT FURTHER RESOLVED that Resolution No. 67-789 is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1981, by Councilmember Muratore, who moved its adoption, which motion

being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 28

A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS PROPERTY

WHEREAS, the City Manager is authorized by Charter Section 801 to sell surplus personal property of the City of Modesto with the approval of the City Council, and

WHEREAS, an estimated 100 cords of wood located at the McClure House, 712 No. McClure Road, Modesto, California, has become surplus to the City's present needs,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The City Manager is hereby authorized and directed to sell the estimated 100 cords of wood located at the McClure House at the price of $40.00 per cord at a public sale starting at 8:00 o'clock a.m. on January 31, 1981, at the McClure House located at 712 No. McClure Road, Modesto, California. Said personal property is hereby found to be surplus.

SECTION 2. The sale shall be conducted by the City Manager or by such person as he may select for this purpose. All wood not sold as provided for above shall be disposed of in such manner as the City Manager deems to be in the best interest of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution

adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-29

A RESOLUTION SETTING TIME AND PLACE FOR AN INFORMAL PUBLIC HEARING ON URBAN GROWTH POLICY RECOMMENDATIONS FROM THE PUBLIC PROJECTS COMMITTEE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that January 20, 1981 , at 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** urban growth policy recommendations from the Public Projects Committee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** January, 1981, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-30

RE-
A RESOLUTION/APPOINTING MEMBER OF THE BOARD OF ZONING ADJUSTMENT AS A REPRESENTATIVE OF THE PLANNING COMMISSION (CAROLE DAVIS)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby re-appointed to the Board of Zoning Adjustment for the respective term as indicated:

Carole Davis
229 Merlin Way
Modesto, Ca. 95350
Term to expire December 31, 1981

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly re-appointed member of the Board of Zoning Adjustment and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-31

RE-
A RESOLUTION/APPOINTING MEMBER OF THE GREATER MODESTO COMMUNITY FOUNDATION BOARD OF GOVERNORS (LOWELL CLARK)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

re-
SECTION 1. The following person is hereby/appointed to the Greater Modesto Community Foundation Board of Governors for the respective term as indicated:

Lowell Clark
1010 Enslen Avenue
Modesto, Ca. 95350
Term to expire 12/31/86

SECTION 2. The City Clerk is hereby directed to transmit a copy re-
of this resolution to the newly/appointed member of the Greater Modesto Community Foundation Board of Governors and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-32

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING HIGH PRESSURE LIGHT BALLASTS AND LUMINAIRES

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of high pressure light ballasts and luminaires

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on February 10, 1981, at 2:00 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th **day of** January, **19**81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-33

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF BEYER COMMUNITY PARK - PHASE I

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of Beyer Community Park - Phase I **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on February 17, 1981, at 11:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th **day of** January, **19**81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-34

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR IMPROVEMENT OF STANDIFORD AVENUE: M.I.D. LATERAL NO. 7 TO PRESCOTT RD.

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for improvement of Standiford Avenue: M.I.D. Lateral No. 7 to Prescott Road **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on February 10, 1981, at 11:00 a.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th **day of** January, 19 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-35

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE EXTENSION OF WATERLINE IN DALLAS AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the extension of waterline in Dallas Avenue **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on February 10, 1981, at 11:05 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th **day of** January, **19** 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-36

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR DIAL-A-RIDE TRANSIT SERVICE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for Dial-A-Ride transit service in conjunction with the County **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on February 4, 1981, at 2:30 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th **day of** January, 19 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-37

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN PIPELINE, INC. FOR THE CONSTRUCTION OF WATERLINE EXTENSION AT SEATTLE AND SPOKANE

WHEREAS, Resolution No 80-1300, adopted by the Council of the City of Modesto on December 23, 1980 , approved the plans and specifications for the construction of waterline extension at Seattle and Spokane and authorized the calling for bids; and

WHEREAS, the bids received for the construction of waterline extension at Seattle and Spokane were opened at 11:00 a.m. on January 13, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Joe Martin Pipeline, Inc. in the amount of $24,142.50 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin Pipeline, Inc. in the amount of $24,142.50 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of January , 1981 , by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-38

A RESOLUTION ACCEPTING THE CONSTRUCTION OF LEE WHITE PAVING COMPANY'S CONTRACT FOR IMPROVEMENT OF TULLY ROAD AT HETCH HETCHY RIGHT OF WAY AS COMPLETE

WHEREAS, a repcrt has been filed by the Director of Public Works **that the construction of** improvement of Tully Road at Hetch Hetchy right of way **has been ccmpleted by** Lee White Paving Company

in accordance with the contract agreement dated July 8, 1980.

NOW, THEREFORE, BE IT RESOLVED that the construction of improvement of Tully Road at Hetch Hetchy right of way **be accepted from said contractor,** Lee White Paving Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $18,624.96 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th **day of** January, **19** 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-39

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (SCENIC-COFFEE ANNEXATION)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on December 9, 1980, duly adopted Resolution No. 80-1264 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 222 be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, January 20, 1981, at the hour of 4:00 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the

Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 222 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 222 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 222, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 222, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of January, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

130/000-00160-01/15/79

July 8, 1980

Revised September 1, 1980
as per LAFCO

CITY OF MODESTO

SCENIC-COFFEE

ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southwestern corner of the Sunnyside Addition (410), as per description filed July 26, 1979 as Instrument 6061, Stanislaus County Records, said point also being on the intersection of the centerline of 50 foot Scenic Drive and the South extension of the East line of Lot 29 of Sunnyside Acres subdivision recorded in Volume 5 of Maps, Page 45, filed May 24, 1911;

1. thence along the existing City Limits along a Western line of said Addition (410), North 00° 15' 00" West, 305.78 feet;

2. thence continuing along the existing City Limits along the Southwestern boundary of said Addition (410), South 74° 27' 42" West, 273.30 feet;

3. thence continuing along the existing City Limits along a Western line of said Addition (410), South 00° 15' 00" East, 152.94 feet, to a Southeastern corner of said Addition (410);

4. thence continuing along the existing City Limits along a Southern boundary of said Addition (410), South 89° 16' 35" West, 132.04 feet, to the center line of 90 foot Coffee Road;

5. thence continuing along the existing City Limits along the center line of 90 foot Coffee Road, and the Eastern boundary of the Scenic No. 2 Addition (229), as per description filed May 2, 1969 as Instrument 15075, Stanislaus County Records, South 00° 15' 00" East, 227.75 feet, to the center line of 50 foot Scenic Drive;

6. thence leaving the existing City Limits and along the center line of 50 foot Scenic Drive, North 69° 14' 00" East, 442.46 feet, to the point of beginning, containing 2.548 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on January 20, 1981, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Bright, seconded by Councilmember Siefkin, and adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED:

Norrine Coyle

City Clerk of the City of Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-40

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (293).

WHEREAS, a verified application for an amendment to Section 12-3-8 of the Zoning Map was filed by P.D.O. Inc. on November 14, 1980, to reclassify from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D, the following described property:

All that portion of the Northeast quarter of the Northeast quarter of Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the Northeast corner of said Section 12; thence South 0°42'15" East along the East line of said Section, a distance of 680 feet; thence West, and parallel with the North line of said Section, a distance of 188 feet; thence North 2°25'22" West 680.19 feet to a point on the Northerly line of said Section 12; thence North 88°58'33" East 208.4 feet to the Northeast corner of said Section 12 and to the POINT OF BEGINNING.

WHEREAS, after public hearing held on December 15, 1980, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D zone will allow ownership of individual units rather than only rental occupancy of apartments for which the property is presently zoned.

2. The conditions of approval will assure that the development will be maintained to the best interests of the general public as well as the individual property owners.

WHEREAS, after a public hearing held on January 20, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of P.D.O. Inc. for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2011-C.S. on the 20th day of January, 1981, reclassifying the above-described property from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D (293).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(293) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan and floor plans titled "Hollandia Corners, Snyder Avenue and Prescott Road" as amended in red, stamped approved by the Planning Commission on December 15, 1980.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code. Screen landscaping shall be installed along the south and west property lines.

3. Fencing shall be constructed prior to occupancy and shall be as follows:

   a. 6-foot board fence with decorative masonry pilasters along the south and west property lines.

   b. 7-foot solid wall or fence around each separate patio.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. All private streets and parking areas shall be constructed in accordance with the standard structural section for residential streets as contained in the City of Modesto Standard Specifications.

6. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development

7. All utilities shall be underground and cable television service shall be stubbed into all units.

8. All signs shall comply with the sign requirements of the R-2 Zone.

9. Prior to the issuance of a building permit for any structure, a subdivision map shall be recorded.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (293):

Construction to begin on or before July 1, 1982, and completion to be not later than July 1, 1983.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (293) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of January, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Bichsel
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-41

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 12-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (P.D.O. INC.)

WHEREAS, on January 20, 1981, the City Council introduced Ordinance No. 2011-C.S. giving approval to a project relating to an amendment to Section Map 12-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(293), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 12-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(293).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of January, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-42

A RESOLUTION ADOPTING A REVISED URBAN GROWTH POLICY FOR THE CITY OF MODESTO.

WHEREAS, the Council of the City of Modesto adopted an Urban Growth Policy for the City of Modesto on March 25, 1974, by Resolution No. 74-238, and

WHEREAS, various revisions to said Urban Growth Policy were made thereafter, and

WHEREAS, a revised Urban Growth Policy incorporating all of said revisions was adopted on June 5, 1979, by Resolution No. 79-566, and

WHEREAS, a further revision to said Urban Growth Policy was made on August 7, 1979, and a revised Urban Growth Policy adopted on said date by Resolution No. 79-802, and

WHEREAS, on February 5, 1980, the Council approved a revision to Paragraph II of said Policy, and

WHEREAS, the City Council's Public Projects Committee has recommended to the Council a revision to Paragraph 1 of said Urban Growth Policy,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby adopts the following revised Urban Growth Policy for the City of Modesto incorporating said latest two revisions:

1. That urban growth be directed to areas currently served with City services as long as economically reasonable. In general, maintenance of a three to five year supply of available vacant and agricultural land in the current sewer service area will be desirable.

2. Urban development should be kept as contiguous as possible in order to avoid premature urbanization of valuable farm land, foster resident convenience and

provide for economy in City services. It is the policy of the City of Modesto that residential growth and development within the Modesto Urban Area General Plan shall take place only following annexation to the City.

3. Residential development should be encouraged in the west and southwest sections of the urban area. City-County cooperation and coordination is necessary to develop means to achieve this goal.

4. That interim agricultural preservation of lands beyond the current sanitary service area but within the ultimate sanitary sewer service area be supported by "opposition" to Williamson Act contract referrals from the County. Such "opposition" enables the landowner to break the contract and convert his land to urban uses without penalty if through annexation city services become available to the property.

5. That long-term agricultural preservation of lands beyond the ultimate sanitary sewer service area be encouraged by support of Williamson Act contract referrals from the County.

6. That by the first regular City Council meeting in October, or in years in which an advisory election is to be held, by the first regular City Council meeting the following January, the City staff prepare a written review of the effects of the urban growth policy and its supportive findings such as an update each year including but not limited to:

(a) Inventory of agricultural and vacant land suitable for residential development within the current sewer service area.

(b) The relationship between this inventory and the General Plan and zoning maps.

(c) Population growth.

(d) Building trends.

(e) Adequacy of all public services and their inclusion in the Capital Improvement Program (sewer, water, fire, police, parks, transportation networks, schools, etc.)

(f) Adequacy of utilities (P.G. & E., M.I.D., P.T. & T.).

(g) Residential land prices.

(h) Consideration of potential neighborhoods to be added to the current sewer service area during the ensuing five years.

7. That during October, or, in years, in which an advisory election is to be held, during the following January, the Public Projects Committee shall meet to review the urban growth policy and make recommendations to the City Council. The Council shall determine which, if any trunk sewer extension(s) as defined by the Modesto Citizens Advisory Growth Management Act, (Measure A) shall be scheduled for a public advisory election in November and shall select potential neighborhoods to be added to the current sewer service area during the ensuing five years. Council review and actions shall be complete within one month following receipt of the Public Projects Committee recommendations.

8. That any proposed sewer trunk extension(s) shall be subject to preparation of an Environmental Impact Report which shall include a General Plan Amendment, Neighborhood Zoning and Development Plan, Capital Improvement Program review, and Williamson Act contract review prior to holding an advisory election.

9. That following the advisory election the Council shall hold a public hearing to determine which, if any, trunk sewer which has been voted upon shall be extended.

10. That a determination to extend any trunk sewer shall be followed by Planning Commission and City Council review, via public hearing, and adoption of a General Plan and Neighborhood Zoning and Development Plan.

11. It is a goal of the Urban Growth Policy that the city-wide average net residential density shall increase to at least 7.5 units per net residential acre by 1985. This density shall be monitored in the annual Urban Growth Policy Review.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of January, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-43

A RESOLUTION AUTHORIZING CERTAIN OFFICERS AND EMPLOYEES TO HAVE ACCESS TO STATE SUMMARY CRIMINAL HISTORY INFORMATION.

WHEREAS, certain officers and employees of the City of Modesto are charged with fulfilling employment, certification and licensing duties in which access to State Summary Criminal History Information, commonly known as "rap sheets", is necessary, and

WHEREAS, Section 1105 of the California Penal Code provides the State Attorney General will furnish Summary Criminal History Information to City officers and employees to aid in the performance of such duties if the officers and employees are authorized by the City Council to have such access, and

WHEREAS, the City Council desires to designate certain officers and employees and authorize them to have access to such information,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the encumbents holding the offices of City Manager, Director of Management Services, and City Attorney are hereby authorized to have access to State Summary Criminal History Information to aid them in the fulfillment of their employment, certification, and licensing duties.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of January, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM: Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-44

A RESOLUTION APPROVING AMENDED **/AGREEMENT BETWEEN THE CITY OF MODESTO AND** ED FARMER AND ASSOCIATES, CONSULTING ENGINEERS AND SCIENTISTS FOR THE MODERNIZATION OF THE DOMESTIC WATER CONTROL SYSTEM

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the amended **/agreement between the City of Modesto and** Ed Farmer and Associates, consulting engineers and scientists **for** the modernization of the domestic water control system

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th **day of** January**, 19**81**, by Councilmember** Bright**, who moved its adoption, which motion being duly seconded by Councilmember** Siefkin**, was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-45

A RESOLUTION ORDERING THE KANSAS-FRANZIA GOVERNMENTAL REORGANIZATION TO THE CITY OF MODESTO WITHOUT NOTICE, HEARING, OR ELECTION.

WHEREAS, a petition signed by all of the owners of land residing within that certain territory known as the Kansas-Franzia Annexation in the County of Stanislaus requesting annexation of the Kansas-Franzia Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated December 17, 1980 approved said annexation to the City of Modesto upon condition that it be processed as a Governmental Reorganization pursuant to the provisions of Division 1 of Title 6 of the Government Code of the State of California, and designated said Governmental Reorganization the Kansas-Franzia Governmental Reorganization, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution ordered that said Governmental Reorganization consist of (a) the annexation of said territory to the City of Modesto; (b) the detachment of said territory from the Woodland Avenue Fire Protection District; and (c) the annexation of said territory to the Modesto Municipal Sewer District; and that the territory be subject to the bonded indebtedness of the Sewer District, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution ordered that a negative declaration be filed as to the environmental effect of the subject Governmental Reorganization, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution designated the City of Modesto as the conducting authority for said Governmental Reorganization and authorized the Council of the City of Modesto to proceed without notice, hearing or election pursuant to section 56261 of the Government Code of the State of California, and

WHEREAS, the City Council of the City of Modesto, on November 2, 1977, adopted Ordinance No. 1648-C.S., amending Section Map 90-3-9 of the Zoning Map of the City of Modesto to prezone certain property which encompasses territory included within the Kansas-Franzia Governmental Reorganization, and

WHEREAS, the City Council of the City of Modesto, pursuant to Resolution No. 77-957, has previously certified review of the Environmental Impact Report, and directed the Director of Planning and Community Development to file a Notice of Determination, as to the environmental impact of the prezoning of certain property which encompasses territory included within the Kansas-Franzia Governmental Reorganization,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the District Reorganization Act of 1964, as amended, have been complied with.

2. That the area or territory designated as the Kansas-Franzia Governmental Reorganization is more particularly described as attached hereto and made a part hereof by reference as though set forth in full herein.

3. Said Territory is hereby annexed to and made a part of the City of Modesto.

4. Said territory is hereby detached from the Woodland Avenue Fire Protection District.

5. Said territory is hereby annexed to the Modesto Municipal Sewer

District No. 1. Said territory shall be subject to the authorized or existing bonded indebtedness of the Sewer District.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, a certified copy of this resolution, stating the date of its passage and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the Executive Officer of the Stanislaus County Local Agency Formation Commission together with a payment of all fees required by section 56450 of the California Government Code.

BE IT FURTHER RESOLVED that pursuant to section 56454 of the California Government Code, this Governmental Reorganization shall be effective on the date of execution of the certificate of completion by the Executive Officer of the Stanislaus County Local Agency Formation Commission.

BE IT FURTHER RESOLVED that the Environmental Impact Report as to the environmental impact of this Governmental Reorganization and of the aforementioned prezoning has been certified and that the Director of Planning and Community Development of the City of Modesto has caused to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of said prezoning and of said Governmental Reorganization.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of January, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call

carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Robert Dick
Public Works Department

January 7, 1981

CITY OF MODESTO

KANSAS - FRANZIA

GOVERNMENTAL REORGANIZATION

ALL that real property in the Northwest quarter of Section 30, Township 3 South, Range 9 East Mount Diablo Base and Meridian, County of Stanislaus, State of California, described as follows:

BEGINNING point on the existing City Limits as established by a point on the boundary of Kansas Avenue No. 2 Annexation (397) per description filed March 23, 1979, Instrument 59988, Stanislaus County Records, said point being the intersection of the centerlines of 40 foot Kansas Avenue and 40 foot Reno Avenue;

1. thence along the existing City Limits and the centerline of said Kansas Avenue, North 89°45'30" West, 555.35 feet;

2. thence leaving the existing City Limits, North 00°49'30" West, 237.03 feet;

3. thence South 89° 45'30" East, 614.84 feet, to a point on the Western boundary of ANNEXATION (397), said point being on the centerline of 40 foot Reno Avenue;

4. thence along the existing City Limits on said Western boundary and centerline the following bearings and distances, South 25°41'00" West, 116.82 feet;

5. thence South 09°14'00" West, 66.00 feet;

6. thence South 04°26'00" East, 66.53 feet, to the Point of Beginning.

Containing 3.100 Acres, More or Less.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-46
INFORMAL

A RESOLUTION SETTING TIME AND PLACE FOR/HEARING TO CONSIDER AN AMENDMENT TO THE SUBDIVISION REGULATIONS PERTAINING TO LOT LINE ADJUSTMENTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that February 3, 1981, at 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an amendment to the Subdivision Regulations pertaining to lot line adjustments, Section 4-4.506 of the Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th **day of** January, 1981, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-47

A RESOLUTION APPROVING THE REQUEST OF VIDCON/AMERICAN HOME VIDEO CORPORATION FOR A REFUND OF OVERPAYMENT OF BUSINESS LICENSE TAX IN THE AMOUNT OF $891.15

BE IT RESOLVED by the Council of the City of Modesto that the request of Vidcon/American Home Video Corporation for refund of $891.15 for overpayment of business license tax is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of January, 1981, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

RESOLUTION NO. 81-48

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

WHEREAS, Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The Council of the City of Modesto upon its own motion hereby orders the installation of the improvements described in the notices which are attached hereto and incorporated by reference herein.

SECTION 2. The Superintendent of Streets is hereby directed to deliver, mail and post said notices in the manner specified in Sections 5876 through 5879 of the Streets and Highways Code.

SECTION 3. The 24th day of February , 19 81 , at 7:30 o'clock p.m. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California is set as the time and place where the Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested person relating to the proposed work.

SECTION 4. The Superintendent of Streets is hereby authorized to implement the provisions of this resolution in accordance with the procedure contained in Chapter 27, Part 3, Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of January , 19 81 , by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Norrine Coyle

NORRINE COYLE, City Clerk

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

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

c. Sidewalk along Sunrise Ave. at 1200 Sunrise Ave., Lot 7 of Block 1122 (Yucker & Moore)

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

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

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

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

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

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

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

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

MODESTO CITY COUNCIL
RESOLUTION NO. 81-49

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF MODESTO AND THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, AND AUTHORIZING THE HOUSING PROGRAM OFFICER TO EXECUTE CERTAIN DOCUMENTS RELATED THERETO.

WHEREAS, the Department of Housing and Urban Development of the State of California has offered to provide $50,000.00 in loan funds for rehabilitation of housing in conjunction with the Housing Maintenance Program of the City of Modesto, and

WHEREAS, the Council wishes to approve the agreement for such funding, to authorize the City of Modesto to execute the agreement, and to authorize the Housing Program Officer to execute such other documents as may be necessary,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Standard Agreement No. 80-HRL-49 between the City of Modesto and the Department of Housing and Urban Development of the State of California, be, and it hereby is approved.

BE IT FURTHER RESOLVED that the City Manager is authorized to execute said agreement, and that the Housing Program Officer is authorized to execute such other documents as may be necessary.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of January, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM: Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-50

A RESOLUTION AMENDING THE MODESTO URBAN AREA GENERAL PLAN TO ADD A REVISED HOUSING ELEMENT TO SAID MODESTO URBAN AREA GENERAL PLAN; AND CERTIFYING COPIES THEREOF TO THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS AND TO THE CITY COUNCILS OF THE CITIES OF CERES AND RIVERBANK.

WHEREAS, pursuant to the provisions of the Government Code of the State of California, the Modesto City Planning Commission is charged with the responsibility of recommending to the City Council a comprehensive, long-term general plan for physical development of the city and land outside its boundaries which, in the Commission's judgment, bears relating to its planning, and

WHEREAS, a General Plan for the City of Modesto entitled "Modesto-Ceres-Empire Area General Plan" was recommended by the Modesto City Planning Commission and adopted by the Council of the City of Modesto by Resolution No. 59-33 on January 23, 1959, and

WHEREAS, thereafter the Planning Commission of the City of Modesto determined and found that amendments to said adopted General Plan of the City of Modesto and surrounding urban area were in the public interest, and said General Plan was amended by Modesto City Council resolutions:

No. 65-695, adopted on December 27, 1965 (Land Use, Public Facilities, and Circulation)
No. 70-235, adopted on March 16, 1970 (Housing Element, Phase #1)
No. 72-1042, adopted on October 2, 1972 (Interim Open Space Plan)
No. 73-671, adopted on August 6, 1973 (Open Space and Recreation Elements)
No. 74-651, adopted on August 5, 1974 (Land Use and Circulation Elements)
No. 75-364, adopted on March 10, 1975 (Phase Two Housing Element)
No. 75-638, adopted on June 9, 1975 (Safety, Scenic Highways and Seismic Safety Elements)
No. 76-906, adopted on July 26, 1976 (Housing Element, Phase #3)
No. 77-724, adopted on July 11, 1977 (Amended Land Use and Circulation Elements Map with Text Amendment on Storm Drains)
No. 77-765, adopted on July 25, 1977 (Amendment to Land Use and Circulation Elements Map - Orchard Neighborhood)
No. 78-854, adopted on August 14, 1978 (Conservation Element)

No. 78-855, adopted on August 14, 1978 (Noise Element)
No. 80-322, adopted on April 8, 1980 (Amendment to Land Use and Circulation Elements Map - College West Neighborhood)
No. 80-636, adopted July 1, 1980 (Amendment to Land Use and Circulation Elements' Map), and

WHEREAS, the Planning Commission held a public hearing on October 13, 1980, and November 17, 1980, on an amendment to the Modesto Urban Area General Plan to revise the Housing Element of said Modesto Urban Area General Plan, at which hearing evidence, both oral and documentary, was received and considered, and

WHEREAS, the Planning Commission has determined and found that said revised Housing Element would be in the interest of the general welfare, and

WHEREAS, the Planning Commission by Resolution No. 80-292, adopted on November 17, 1980, has approved and recommended to the City Council that the Modesto Urban Area General Plan be amended by revising the Housing Element of said Modesto Urban Area General Plan by adding to said Modesto Urban Area General Plan a document entitled "Housing Element of the Modesto Urban Area General Plan" dated July 1980 and revised by the Planning Commission, a copy of which is on file in the office of the Director of Planning and Community Development, and

WHEREAS, the City Council held a public hearing on said amendment, as approved and recommended by the Planning Commission, on January 27, 1981, at 7:30 o'clock p.m., in the Council Chambers, in City Hall, Modesto, California, as required by law, and

WHEREAS, the Council has received and reviewed the findings of the City of Modesto Environmental Assessment Committee, which resulted in a Negative Declaration as to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that an amendment to the Housing Element of the Modesto Orban Area General Plan as proposed by the Planning Commission is required by the public health, safety and general

welfare.

BE IT FURTHER RESOLVED by the Council that it does hereby adopt an amendment to the Modesto Urban Area General Plan by revising the Housing Element of said Modesto Urban Area General Plan by the addition of the document entitled "Housing Element of the Modesto Urban Area General Plan" dated January 1981, a copy of which is on file in the office of the Director of Planning and Community Development and in the office of the City Clerk.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to certify a copy of the "Housing Element of the Modesto Urban Area General Plan" which is being added hereby to the adopted Modesto Urban Area General Plan to the Board of Supervisors of the County of Stanislaus, the City Council of the City of Ceres, and the City Council of the City of Riverbank.

BE IT FURTHER RESOLVED that Modesto City Council Resolution No. 70-235, adopted on March 16, 1970, Resolution No. 75-364, adopted on March 10, 1975, and Resolution No. 76-906, adopted on July 26, 1976, are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of January, 1981, by Councilmember

Bright, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Acting Mayor Siefkin
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN J. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-51

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR OAKDALE ROAD/WYLIE DRIVE TRAFFIC SIGNALS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the Oakdale Road/ Wylie Drive traffic signals **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 3, 1981, at 11:00 a.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th **day of** January, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Acting Mayor Siefkin
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-52

A RESOLUTION AMENDING RESOLUTION 81-4 REGARDING AWARD OF PURCHASE ORDERS TO ATHLETIC SUPPLY OF CALIFORNIA AND VALLEY SPORTING GOODS

WHEREAS, on January 6, 1981, upon staff recommendation, Council passed Resolution No. 81-4 declaring eight low bidders and authorizing the issuance of purchase orders to eight companies for various athletic and recreational equipment; and

WHEREAS, in rechecking the bids, it was discovered the bid of Athletic Supply Company of California for Little League baseballs was misinterpreted (calculated at $692.50, plus tax; should have been $998.30, plus tax), making Valley Sporting Goods' bid of $997.50 plus tax, the low bid on item No. 1; and

WHEREAS, it is recommended that the purchase order amounts authorized in Resolution No. 81-4 for these two companies be amended as follows: Athletic Supply of California amended amount $4,485.47; Valley Sporting Goods amended amount of $2,163.97.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that Resolution 81-4 regarding award purchase orders to Athletic Supply of California and Valley Sporting Goods for various athletic and recreational equipment, be amended to authorized purchase order amounts as recommended above.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of January, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Acting Mayor Siefkin
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-53

A RESOLUTION ACCEPTING THE BID OF H.V. CARTER FOR FURNISHING ONE LAWN SWEEPER

WHEREAS, Resolution No.80-1191 adopted by the Council of the City of Modesto on November 25, 1980 , approved the plans and specifications for the purchase of one lawn sweeper
and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of one lawn sweeper

were opened at 2:00 p.m. on December 23, 1980 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of H.V. Carter in the amount of $6,298.84
be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of H.V. Carter in the amount of $6,298.84
be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of January , 1981 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Acting Mayor Siefkin
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-54

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ROBERT L. HOOVER FOR LEASE OF THE FORMER MANGNUSON HOUSE LOCATED ON FUTURE TUOLUMNE RIVER REGIONAL PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Robert L. Hoover

for lease of the former Mangnuson house located on future Tuolumne River Regional Park

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th **day of** January, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Acting Mayor Siefkin
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-55

A RESOLUTION ACCEPTING IMPROVEMENTS IN WYLDEWOOD ESTATES NO. 6 SUBD. AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Edward G. & Virginia Lee Wylie , subdividers of Wyldewood Estates No. 6 Subdivision , have filed subdivision bonds for faithful performance and labor and materials in the amount of $48,500 and $24,250 respectively to guarantee improvements in Wyldewood Estates No. 6 Subd. ; and

WHEREAS, the Director of Public Works in a memorandum dated January 20, 1981 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the subdivision bond upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Wyldewood Estates No. 6 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the subdivision bond for faithful performance in the amount of $48,500 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the subdivision bond for labor and materials in the amount of $24,250 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of January , 1981 by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Acting Mayor Siefkin
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-56
INFORMAL

A RESOLUTION SETTING TIME AND PLACE FOR/HEARING TO CONSIDER "OFFSET" ZERO LOT LINE PROJECTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that February 3, 1981, at 4:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of "offset" zero lot line projects.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of January, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Acting Mayor Siefkin

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-57

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 22-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (ZAGARIS)

WHEREAS, on February 3, 1981, the City Council introduced Ordinance No. 2013-C.S. giving approval to a project relating to an amendment to Section Map 22-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium High Density Residential Zone, R-3, to Professional Office Zone, P-O, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 22-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium High Density Residential Zone, R-3, to Professional Office Zone, P-O.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of February, 19 81, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-58

A RESOLUTION DENYING THE APPEAL OF DELTA BLOOD BANK FOR AN AMENDMENT TO SECTION 21-3-9 OF THE ZONING MAP TO REZONE FROM LOW DENSITY RESIDENTIAL ZONE, R-1, TO PROFESSIONAL OFFICE ZONE, P-O, PROPERTY LOCATED AT THE NORTHEAST CORNER OF ORANGEBURG AND MELROSE AVENUES, IN THE CITY OF MODESTO.

WHEREAS, a verified application for an amendment to Section 21-3-9 of the Zoning Map was filed by Delta Blood Bank on November 14, 1980, to reclassify from Low Density Residential Zone, R-1, to Professional Office Zone, P-O, property located at the northeast corner of Orangeburg and Melrose Avenues in the City of Modesto described as follows:

> All that certain real property situate in a portion of the West half of the Southeast quarter of the Northeast quarter of the Northwest quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:
>
> The West 120 feet of the South 125 feet of Lot 12 of Coolidge Colony, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on November 15, 1910, in Volume 5 of Maps, page 17,

and

WHEREAS, said application was set for public hearing before the Planning Commission at its regular meeting of January 5, 1981, at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 81-11, denied the requested amendment to Section 21-3-9 of the Zoning Map to rezone from Low Density Residential Zone, R-1, to Professional Office Zone, P-O, the property described above located at the northeast corner of Orangeburg and Melrose Avenues in the City of Modesto, and

WHEREAS, an appeal was filed with the City Council of the City of Modesto by a letter dated January 7, 1981, from Delta Blood Bank, to the decision of the Planning Commission denying its application to reclassify from Low Density Residential Zone, R-1, to Professional Office Zone, P-O, property located at the northeast corner of Orangeburg and Melrose Avenues, and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, at 4:00 o'clock p.m. on Tuesday, February 3, 1981, and

WHEREAS, at said meeting, said Council, after hearing evidence both oral and documentary, found and determined that the appeal filed by Delta Blood Bank to the decision of the Planning Commission denying rezoning from Low Density Residential Zone, R-1, to Professional Office Zone, P-O, of the property described above located at the northeast corner of Orangeburg and Melrose Avenues in the City of Modesto, should be denied and the decision of the Planning Commission denying the requested rezoning should be affirmed for the following reasons:

1. The proposed rezoning does not conform with the East McHenry Neighborhood Zoning and Development Plan which shows the site of the proposed rezoning as R-2 residential uses.

2. If the proposed rezoning were granted the site could not be restricted to blood bank use only but could be used for any permitted use in the P-O Zone if the blood bank were to move.

3. Granting of the proposed P-O zoning on this site would set a precedent for other P-O zoning requests for other parcels along this portion of East Orangeburg Avenue,

and

WHEREAS, the City Council at said Council meeting reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed rezoning,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by Delta Blood Bank to the decision of the Planning Commission, as set forth in Planning Commission Resolution No. 81-11 denying rezoning from Low Density Residential Zone, R-1, to Professional Office Zone, P-O, of the above described property located at the northeast corner of Orangeburg and Melrose Avenues in the City of Modesto, is denied, for the reasons set forth above, and the decision of the Planning Commission denying the requested rezoning is hereby affirmed.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clark a Notice of Determination in regard to the environmental impact of the proposed rezoning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of February, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote-

AYES: Councilmembers: Bright, Lang, Muratore, Siefkin

NOES: Councilmembers: Elliott, Kullijian, Mayor Mensinger

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION

By William V. Nichols
PLANNING AND COMMUNITY
DEVELOPMENT DEPARTMENT

MODESTO CITY COUNCIL
RESOLUTION NO. 81-59

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INTERIM BUS TERMINAL SITE WORK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for interim bus terminal site work **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 27, 1981 at 1:45 p.m. , **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** February, **19** 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-60

A RESOLUTION ACCEPTING THE BID OF W. GALE FISHER, INC. FOR THE CONSTRUCTION OF WATERLINE EXTENSION IN PRINCETON AVENUE

WHEREAS, Resolution No. 81-1 , adopted by the Council of the City of Modesto on January 6, 1981 , approved the plans and specifications for the the construction of waterline extension in Princeton Avenue and authorized the calling for bids; and

WHEREAS, the bids received for the construction of waterline extension in Princeton Avenue were opened at 11:00 a.m. on January 27, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of W. Gale Fisher, Inc. in the amount of $11,160 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of W. Gale Fisher, Inc. in the amount of $11,160 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of February , 19 81, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-61

A RESOLUTION ACCEPTING THE BID OF W. GALE FISHER, INC. FOR THE CONSTRUCTION OF WATERLINE EXTENSION IN LINCOLN OAK DRIVE

WHEREAS, Resolution No. 81-2 , adopted by the Council of the City of Modesto on January 6, 1981 , approved the plans and specifications for the construction of waterline extension in Lincoln Oak Drive and authorized the calling for bids; and

WHEREAS, the bids received for the construction of waterline extension in Lincoln Oak Drive were opened at 11:05 a.m. on January 27, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of W. Gale Fisher, Inc. in the amount of $12,470 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of W. Gale Fisher, Inc. in the amount of $12,470 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of February , 1981 , by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-62

A RESOLUTION ACCEPTING THE CONSTRUCTION OF STREET LIGHT MODERNIZATION, BRIGHTON AVENUE AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** street light modernization, Brighton Avenue **has been completed by** Ferrero Electric

in accordance with the contract agreement dated July 15, 1980.

NOW, THEREFORE, BE IT RESOLVED that the construction of street light modernization, Brighton Avenue **be accepted from said contractor,** Ferrero Electric;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $5,451.60 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** February, **19** 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-63

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THREE SUPER-SIZED BUS PATRON SHELTERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of three super-sized bus patron shelters **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 27, 1981, at 2:00 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** February, **19** 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-64

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING FIVE COMPACT SEDANS, TWO LIGHT UTILITY TRUCKS: TWO 3/4 TON PICKUPS, AND ONE AERIAL LIFT VAN

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of five compact sedans, two light utility trucks; two 3/4 ton pickups, and one aerial lift van **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on February 24, 1981, at 2:00 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** February, **19** 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-65

A RESOLUTION APPROVING THE FINAL MAP OF THE SHASTA MEADOWS SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Joaquin Construction Co., Inc., a California Corporation,

is (~~are~~) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 11.35 acres, known as the Shasta Meadows Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 21st day of January, 1980, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Shasta Meadows Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of February, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Council-

member Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-66

A RESOLUTION APPROVING THE FINAL MAP OF THE AMENDED MAP OF THE ORCHARDS - UNIT ONE SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Orchards Associates, a California limited partnership,

is ~~are~~ possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 9.886 acres, known as the Amended Map of the Orchards - Unit One Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 17th day of November, 1980, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Amended Map of the Orchards - Unit One Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of February, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Council-

member Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-67

A RESOLUTION APPROVING THE FINAL MAP OF THE LONGBRIDGE ESTATES SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Gregory L. Ellis and Karen D. Ellis, husband and wife

~~is~~ (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 1.986 acres, known as the LONGBRIDGE ESTATES Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 2nd day of July, 19 79, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Longbridge Estates Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of February, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Council-

member Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-68

A RESOLUTION ACCEPTING IMPROVEMENTS IN OAKWOOD PARK SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, J.W.J. Development, subdividers of Oakwood Park Subdivision, have filed Instruments of Credit for faithful performance and labor and materials in the amount of $431,000 and $215,500 respectively to guarantee improvements in Oakwood Park Subd.; and

WHEREAS, the Director of Public Works in a memorandum dated January 26, 1981, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Instruments of Credit upon expiration of the statutory period,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Oakwood Park Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit for faithful performance in the amount of $431,000 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Instrument of Credit for labor and materials in the amount of $215,500 upon expiration of the statutory period,

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of February, 19 81 by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-69

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WILLIAM P. STRICKLAND AND ARTHUR C. SHARP FOR WATER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 1943 CROWS LANDING ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and William P. Strickland and Arthur C. Sharp **for** water service to property outside City limits at 1943 Crows Landing Road located on the west side of Crows Landing Road between Imperial and Glenn Avenues **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** February, **19** 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-70
SUPPLEMENT NO. 15 TO
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND THE STATE PROVIDING FOR THE WIDENING OF NEEDHAM STREET FROM P TO 9TH STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the/ Supplement No. 15 to **agreement between the City of Modesto and** the State

for the widening of Needham Street from P to 9th Street

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** February, **19**81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-71

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO TALLOW COMPANY REGARDING A PUBLIC WATERLINE EASEMENT ON THEIR PROPERTY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Modesto Tallow Company **for** a public waterline easement on their property

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** February, **19**81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-72

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT WITH THE STATE DEPARTMENT OF REHABILITATION FOR REIMBURSEMENT FOR CITY STAFF SERVICES, HOUSING NEEDS ASSESSMENT FOR THE DISABLED

BE IT RESOLVED by the Council of the City of Modesto that the submission of a contract with the State Department of Rehabilitation for reimbursement for City staff services for a study of the housing needs of the disabled citizens of Modesto, which study will generate specific data providing the Department of Rehabilitation with a model which can be generalized to all the cities and counties in the State of California, is hereby approved.

BE IT FURTHER RESOLVED that the execution of the contract by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of February, 1981, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-73

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ROBERT NEUGEBAUER FOR THE LEASE OF 5± ACRES OF LAND (FUTURE ORCHARD NEIGHBORHOOD PARK)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Robert Neugebauer

for the lease of 5± acres of land (future Orchard Neighborhood Park) to expire December 31, 1981,

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of February, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-74

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND VIRGINIA C. TORRES FOR THE LEASE OF A CITY-OWNED RESIDENCE AT 117 ELM STREET (FUTURE CORPORATION YARD EXPANSION SITE)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Virginia C. Torres

for the lease of a City-owned residence at 117 Elm Street (future corporation yard expansion site)

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** February, **19**81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-75

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND GEM INVESTORS, INC., dba GOLDEN GATE AIRLINES, FOR RENT OF 225± SQUARE FEET OF ADDITIONAL AREA IN TERMINAL BUILDING

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Gem Investors, Inc., dba Golden Gate Airlines **for** rent of 225± square feet of additional area in terminal building

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** February, **19** 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO.81-76

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ARNOLD W. AND MARILYN ROMEY FOR LEASE OF THE FORMER ZAKARIAN HOUSE LOCATED ON FUTURE AIRPORT NEIGHBORHOOD PARK SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Arnold W. and Marilyn Romey **for** lease of the former Zakarian house located on future Airport Neighborhood Park site **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** February, **19** 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-77

A RESOLUTION SETTING TIME AND PLACE FOR HEARING TO CONSIDER GRANT APPLICATION FOR NINE BUSES AND RELATED EQUIPMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 17, 1981 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a grant application for nine buses and related equipment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** February**, 19** 81**, by Councilmember** Muratore**, who moved its adoption, which motion being duly seconded by Councilmember** Siefkin**, was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-78

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 29-3-9 OF THE ZONING MAP (COMMISSION INITIATED)

WHEREAS, the Modesto City Planning Commission held a public hearing on January 19, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 29-3-9 of the Zoning Map to rezone from C-1 to C-2, property located in the Downtown area, south of Needham Avenue, northwest of J Street

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-27 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 29-3-9 of the Zoning Map be set for March 3, 1981, at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of February, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain real property situate in a portion of the north one-half of the southeast quarter and the south one-half of the northeast quarter of Section 29, Township 3 South Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, including:

All or portions of City of Modesto Blocks I, J, 86, 91, 107, 108, 109, 110, 111, 123, and 124 described as follows:

Beginning at a point as established by the intersection of the center lines of 75-foot wide Sycamore Avenue and original 65-foot wide Needham Street; thence along said centerline of Needham Street in a easterly direction to the intersection of the northwestern prolongation of the centerline of the 20-foot wide alley in City of Modesto Block 124; thence along said prolongation and centerline to a point 140-feet northwest of the centerline of 80-foot wide "J" Street; thence leaving the centerline of said alley in Block 124 and in a southwesterly direction parallel to and 140-foot distant from the centerline of said J Street to the centerline of the 20 foot wide alley in City of Modesto Block 107; thence along said centerline and its northwesterly prolongation to the centerline of 80 foot wide "K" Street; thence continuing in a northwesterly direction along the southeasterly prolongation of the centerline of the 20 foot wide alley in City of Modesto Block 108 and centerline to a point 115 feet northwest of said "K" Street centerline; thence leaving the centerline of said alley in Block 108 and in a southwesterly direction parallel to and 115 feet distant from the centerline of said "K" Street to the centerline of the 20 foot wide alley in City of Modesto Block 86; thence northwesterly along said alley centerline 200.00 feet to the intersection with the southwest prolongation of the lot line common to lots 5 and 6; thence along said prolongation and lot line and the northeast prolongation of said lot line 190.00 feet to the centerline of 80.00 foot wide 12th Street; thence along said centerline in a northwest direction 81.00 feet to a point 84.00 feet distant from the centerline of 80.00 foot wide "L" Street; thence leaving the centerline of "12th" Street and in a southwesterly direction parallel to and 84.00 feet distant from the centerline of said "L" Street 190.00 feet to the centerline of said alley in Block 86; thence northwesterly along said alley centerline 84.00 feet to the centerline of said "L" Street

SCHEDULE "A"
COUNCIL INITIATED

thence along the centerline of "L" Street 570.00 ± feet to the centerline of 80.00 foot wide "13th" Street; thence along the centerline of "13th" Street in a northwesterly direction 610.00 feet to the originally mentioned centerline of Needham Street; thence along said centerline in a easterly direction to the point of beginning.

Including also a portion of City of Modesto Block 89 described as follows:

Beginning at the most southern corner of Lot 16 of said Block 89; thence northeasterly along the southeastern line of Lot 16 a distance of 35.00 feet; thence at right angles northwesterly 95.00 feet to a line parallel to and 5.00 feet southeasterly from the southeast line of Lot 12 of said Block 89; thence at right angles and along said line northeast 35.00 feet; thence at right angles and in a northwest direction 55.97 ± feet to the south line of Needham Street; thence westerly along the south line of Needham Street 98.48 feet to the northeastern line of the 20.00 foot wide alley in Block 89; thence southeasterly along said northeastern alley line 222.07 feet to the most southern corner of said Lot 16 and the point of beginning.

Including also all of the south one-half of Needham Street and the northwestern one-half of "M" Street immediately adjacent to the above described property.

SCHEDULE "A"
COUNCIL INITIATED

MODESTO CITY COUNCIL
RESOLUTION NO. 81-79

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 9-3-9 OF THE ZONING MAP (GRAND PRIX GROUP)

WHEREAS, the Modesto City Planning Commission held a public hearing on January 19, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 9-3-9 of the Zoning Map to rezone from R-2 to P-D(295) property located on the southwest corner of Coffee and Grand Prix to allow conversion of existing apartments to condominiums

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-25 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 9-3-9 of the Zoning Map be set for February 24, 1981, at 7:30 p.m.in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of February, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain real property as shown on the Map of Grand Prix Plaza, filed in Book 26 of Maps at Page 15, Stanislaus County Records; being a subdivision of Lot 4, of Block 12460 of Grand Prix Estates; being a portion of the Northeast quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, City of Modesto, County of Stanislaus, State of California; also including the West one half of Coffee Road adjacent to Grand Prix Plaza, the East one half of Maserati Drive adjacent to Grand Prix Plaza and the South one half of Grand Prix Drive adjacent to Grand Prix Plaza.

SCHEDULE "A"
GRAND PRIX GROUP

MODESTO CITY COUNCIL
RESOLUTION NO. 81-80

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTIONS 10-2.1904, 10-2.2504, AND 10-2.3503 OF THE ZONING REGULATIONS PERTAINING TO TRANSFER OF ZONING INSPECTION TO THE PLANNING DEPARTMENT

WHEREAS, the Modesto City Planning Commission held a public hearing on January 19, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Sections 10-2.1904, 10-2.2504, and 10-2.3503 of the Zoning Regulations pertaining to transfer of Zoning Inspection from Public Works Department to Planning and Community Development Department; and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-34 recommending to the Council that Sections 10-2.1904, 10-2.2504, and/10-2.3503 be amended as required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Sections 10-2.1904, 10-2.2504, and 10-2.3503 of the Zoning Regulations be set for February 17, 1981, at 4:00 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed amendment as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of February, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-81

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 23-3-9 OF THE ZONING MAP (HORN CONSTRUCTION)

WHEREAS, the Modesto City Planning Commission held a public hearing on January 19, 1981 , in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 23-3-9 of the Zoning Map to rezone from R-3 to P-O property located at the southwest corner of Lakewood and Briggsmore

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-30 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 23-3-9 of the Zoning Map be set for February 24, 1981, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of February , 19 81 , by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain real property situated in the northeast quarter of Section 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, located in the City of Modesto, County of Stanislaus, State of California, described as follows:

Commencing at the Southeast corner of the Northeast quarter of the Northeast quarter of said Section 23, said point being the intersection of Lakewood Avenue and East Orangeburg Avenue; thence North 0° 14' 45" West along the centerline of Lakewood Avenue, a distance of 605.02 feet to the true point of beginning; thence North 89° 42' 00" West 421.00 feet to the West line of Lot 38 and Lot 39, Block 1568 Orangeburg Heights Subdivision, recorded in Book 25 of Maps at Page 86, Stanislaus County Records; thence North 0° 14' 35" West along the West line of Lot 38 and Lot 39, a distance of 599.00 feet to the centerline of Briggsmore Avenue; thence South 89° 42' 00" East along the centerline of Briggsmore Avenue a distance of 421.00 feet to the intersection of Lakewood Avenue; thence South 0° 14' 45" East along the centerline of Lakewood Avenue a distance of 599.00 feet to the point of beginning.

4.59 Acres Net

SCHEDULE "A"
HORN CONSTRUCTION

MODESTO CITY COUNCIL
RESOLUTION NO. 81-82

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (294).

WHEREAS, a verified application for an amendment to Section 8-3-9 of the Zoning Map was filed by Ken Wolf and Associates on November 17, 1980, to reclassify from Medium High Density Residential Zone, R-3, to Planned-Development Zone, P-D, the following described property:

All that certain real property as shown on the map of Tierra Plaza filed in Volume 26 of Maps at page 78, Stanislaus County Records, being a subdivision of a portion of the Standiford Colony, being a portion of the Southwest quarter of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, City of Modesto, County of Stanislaus, State of California; also including the South 30 feet of Standiford Avenue adjacent to Tierra Plaza and the East 30 feet of Colonial Drive adjacent to Tierra Plaza.

WHEREAS, after public hearing held on December 15, 1980, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The major part of the proposal is for a change in the form of ownership only of existing units.
2. The P-D zone and conditions of approval insure a degree of compatibility consonant with surrounding properties.

WHEREAS, after a public hearing held on January 27, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Ken Wolf and Associates for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2015-C.S. on the 10th day of February, 1981, reclassifying the above-described property from Medium High Density Residential Zone, R-3, to Planned-Development Zone, P-D (294).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(294) is hereby approved subject to the following conditions:

1. The applicant shall submit revised plot plans and floor plans showing all changes required by the Planning Commission prior to the City Council hearing. All phases shall be shown on one sheet. All development shall conform to these revised plans as amended in red, stamped approved by the Planning Commission on December 15, 1980.

2. Prior to the issuance of a building permit for Phase IV, a landscaping and irrigation plan for that phase shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code.

3. Fencing for Phase IV shall be constructed prior to occupancy and shall be as follows:

   a. 7-foot double sided board fence with decorative masonry pilasters on the south, east, and west property lines.

   b. 7-foot solid wall or fence around private patios.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. All private streets and parking areas shall be constructed in accordance with the standard structural section for residential streets as contained in the City of Modesto Standard Specifications.

6. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

7. All utilities shall be underground and cable television service shall be stubbed into all units.

8. All signs shall comply with the sign requirements of the R-3 Zone.

9. Prior to sale of any condominiums, a subdivision map shall be recorded.

10. Prior to recordation of a final subdivision map, the developer shall obtain certification from the Chief Building Official that all construction conforms to all building and fire safety standards for condominiums established by the Chief Building Official.

11. Prior to recordation of a final subdivision map, the developer shall obtain certification from the Director of Parks and Recreation that the existing landscaping and irrigation system generally conforms to City standards and/or any previously approved plans.

12. All conditions of Board of Zoning Adjustment Resolution No. 756 and Planning Commission Resolution No. 80-108 not in conflict with this action shall remain in full force and effect.

13. In Phase 2 the second-story windows in the loft/bedroom and bathroom shall be screened by fixed louvres on the exterior wall so that vision beyond the rear fence is not possible from said windows.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (294):

Phase 1: Conversion of existing units to condominiums, to begin on or before January 1, 1983, and be completed by January 1, 1985.

Phase 2: Construction of new condominiums, to begin on or before January 1, 1982, and be completed by January 1, 1983.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (294) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Burke
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-83

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 8-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (DUANE HUFF)

WHEREAS, on February 10, 1981, the City Council introduced Ordinance No. 2015-C.S. giving approval to a project relating to an amendment to Section Map 8-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium High Density Residential Zone, R-3, to Planned Development Zone, P-D(294), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 8-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium High Density Residential Zone, R-3, to Planned Development Zone, P-D(294).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn E. Johnson
ELWYN E. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-84

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING TOWING SERVICE FOR CITY GOVERNMENT VEHICLES

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing towing service for City government vehicles **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 3, 1981, at 2:00 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** February, 19 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-85

A RESOLUTION APPROVING CHANGE IN BID OPENING DATE FROM FEBRUARY 17, 1981, TO FEBRUARY 24, 1981 FOR BEYER COMMUNITY PARK PHASE I

WHEREAS, Resolution No. 81-33, adopted by the Council of the City of Modesto on January 20, 1981, approved the plans and specifications for the construction of Beyer Community Park - Phase I, and authorized the call for bids; and

WHEREAS, because of the following problems: the day before bid opening is a holiday which could cause problems with getting bids in on time; there are other local bid openings which could affect the bids; and there was a delay in getting the plans and specifications issued, it is the recommendation of the staff that the bid opening date be changed from February 17, 1981, to February 24, 1981.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that the bid opening date for Beyer Community Park Phase I, originally scheduled for February 17, 1981, at 11:00 a.m., is hereby changed to February 24, 1981, at 11:00 a.m.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-86

A RESOLUTION ACCEPTING THE BID OF REED EQUIPMENT COMPANY FOR FURNISHING ONE 40 HP DIESEL INDUSTRIAL TRACTOR (ITEM NO. II)

WHEREAS, Resolution No. 80-1227 adopted by the Council of the City of Modesto on December 9, 1980 , approved the plans and specifications for the furnishing of two diesel tractors and authorized the calling for bids; and

WHEREAS, the bids received for the diesel tractors were opened at 2:00 p.m. on January 6, 1981 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Reed Equipment Company in the amount of $11,254.52 for one tractor including trade-in be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Reed Equipment Co. in the amount of $11,254.52 plus trade-in be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 19 81, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-87

A RESOLUTION AUTHORIZING NEW CALL FOR BIDS FOR ITEM I, A 58 DRAWBAR HORSEPOWER DIESEL TRACTOR

WHEREAS, Resolution No. 80-1227, adopted by the Council of the City of Modesto on December 9, 1980, approved the plans and specifications for furnishing two diesel tractors, and authorized the call for bids; and

WHEREAS, because no bids were received on Item I, a 58 drawbar hp diesel tractor, it is the recommendation of staff that a new call for bids be authorized to be opened March 10, 1981, at 2:00 p.m..

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that it does hereby authorize a new call for bids for Item I, a 58 hp diesel industrial tractor, to be opened March 10, 1981, at 2:00 p.m.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-88

A RESOLUTION ACCEPTING THE CONSTRUCTION OF I STREET IMPROVEMENT PROJECT AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of I Street Improvement Project

has been completed by George Reed, Inc.

in accordance with the contract agreement dated August 5, 1980.

NOW, THEREFORE, BE IT RESOLVED that the construction of the I Street Improvement Project

be accepted from said contractor, George Reed, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $127,238.31 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-89

A RESOLUTION AUTHORIZING EXTENSION OF A PURCHASE ORDER TO C.P. CONSTRUCTION FOR $559.62 OF ADDITIONAL WORK REQUIRED FOR THE INSTALLATION OF AN UNDERGROUND SERVICE FOR THE SEWER MONITORING STATION AT HOSMER AND 9TH STREET

WHEREAS, the original purchase order to C.P. Construction for work on the installation of an underground service for the sewer monitoring station at Hosmer and 9th Street included the cost of an aerial electrical service; and

WHEREAS, at the request of the adjoining property owner the electric service was changed to an underground service which additional costs necessitate this change.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that it does hereby authorize extension of the Purchase Order to C.P. Construction for $559.62 of additional work required for the installation of an underground service for the sewer monitoring station at Hosmer and 9th Street.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-90

A RESOLUTION AUTHORIZING THE PURCHASE OF SERVICES OF MR. R.W. ARNOLD, M.A.I., OF ARNOLD ASSOCIATES OF MERCED TO APPRAISE A 5-ACRE PARCEL OF LAND NEEDED FOR THE EMPIRE SENIOR ELEMENTARY ADDITION UTILIZING THE LOT TAX FUND AS PREVIOUSLY AUTHORIZED

WHEREAS, it has been deemed necessary to appraise a 5-acre parcel of land needed for the Empire Senior Elementary addition utilizing the lot tax fund as previously authorized; and

WHEREAS, Mr. R.W. Arnold, M.A.I. of Arnold Associates of Merced has agreed to do this appraisal for $4,000, which includes an analysis of the irrigation system and an in-depth study of the potential of this uniquely located property.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that authorization to purchase the services of Mr. R.W. Arnold, M.A.I., of Arnold Associates of Merced in the amount of $4,000 to appraise a 5-acre parcel of land needed for the Empire Senior Elementary addition utilizing the lot tax fund, is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-91

A RESOLUTION WAIVING FORMAL BID PROCEDURES AND AUTHORIZING THE PURCHASE OF 26 POLICE PATROL CARS FROM THE CALIFORNIA STATE DEPARTMENT OF GENERAL SERVICES

WHEREAS, the Public Works Service Division presently has the requirement to purchase twenty-six Police patrol cars to replace the current fleet which is starting to exceed 50,000 miles; and

WHEREAS, the City of Modesto continues to use the State's cooperative purchasing program to purchase various commodities utilizing prices generally available only to large volume buyers, thereby stretching the local tax dollar.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of 26 Police patrol cars is hereby waived.

BE IT FURTHER RESOLVED that purchase of 26 Police patrol cars from the California State Department of General Services for the total purchase price of $222,931.40 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-92

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY SIDNEY ROGERS OF SCENIC NURSERY TO A DECISION OF THE PLANNING COMMISSION CONCERNING REZONING OF PROPERTY ON THE NORTH SIDE OF SCENIC EAST OF COFFEE ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 3, 1981, at 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Sidney Rogers of Scenic Nursery to a decision of the Planning Commission concerning rezoning of property on the north side of Scenic, east of Coffee Road.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** February, 1981, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-93

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND TRACY CRANE AND EVA CRANE FOR LEASE OF APARTMENT AT 1815 H STREET ON OLD LINCOLN SCHOOL SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Tracy Crane and Eva Crane **for** lease of apartment at 1815 H Street on old Lincoln School site **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** February, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-94

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND BEN C. TURNER AND JOYCE TURNER FOR A MONTH-TO-MONTH LEASE OF KINGS BENCH RESTAURANT AND LOUNGE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Ben C. Turner and Joyce Turner **for** a month-to-month lease of the Kings Bench Restaurant and Lounge **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** February, **19**81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-95

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND UNITED COURIER, INC. FOR A ONE-YEAR RENEWAL OF AN AIRPORT CONCESSION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and United Courier, Inc.

for renewal of an airport concession

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** February, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-96

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE DEED ACCESS RIGHTS TO ALLOW AN ADDITIONAL DRIVEWAY ONTO COFFEE ROAD FROM PROPERTY AT THE SOUTHWEST CORNER OF COFFEE ROAD AND BRIGGSMORE AVENUE

WHEREAS, by deed recorded on August 2, 1974, the owners of property at the southwest corner of Coffee Road and Briggsmore Avenue granted to the City of Modesto rights of access to the adjacent streets, pertaining to all of the Briggsmore Avenue frontage and the northerly 100 feet of the Coffee Road frontage; and

WHEREAS, the Council recently took action to allow one additional 35-foot driveway access to Coffee Road to be located 25 feet south of Briggsmore Avenue.

NOW, THEREFORE BE IT RESOLVED that the execution of deed for access rights to allow an additional driveway onto Coffee Road from property at the southwest corner of Coffee Road and Briggsmore Avenue by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-97

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 10-2.225.1 OF THE ZONING REGULATIONS RELATING TO FAMILY AMUSEMENT MACHINE CENTERS (BOB ERICKSON)

WHEREAS, the Modesto City Planning Commission held a public hearing on February 2, 1981 , in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 10-2.225.1 of the Zoning Regulations relating to Family Amusement Machine Centers;

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-40 recommending to the Council that the amendment to Section 10-2.225.1 is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 10-2.225.1of the Zoning Map be set for March 3, 1981, at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February , 1981 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-98

A RESOLUTION APPROVING THE FINAL MAP OF THE PERSIAN TERRACE NO. 3 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, U. S. BY-PRODUCTS, INC., a corporation, is/~~are~~ possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 1.885 acres, known as the Persian Terrace No. 3 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 21st day of July, 1980, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Persian Terrace No. 3 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct, and

WHEREAS, all public improvements required by the City of Modesto have been completed in said tract,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the improvements completed in said tract be accepted; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal

Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-99

A RESOLUTION INCORPORATING APPLICABLE PROPERTY TAX PROVISIONS OF AGREEMENT DATED FEBRUARY 26, 1980, TO CERTAIN CITY OF MODESTO ANNEXATIONS AND GOVERNMENTAL REORGANIZATIONS.

WHEREAS, pursuant to the provisions of Chapter 282 of the Statutes of 1979 of the State of California, the City of Modesto and the County of Stanislaus have both approved an agreement dated February 26, 1980, providing for the distribution of property tax revenue on jurisdictional changes, and

WHEREAS, under the terms of said agreement, the parties affected by an annexation or government reorganization, upon notification by the Local Agency Formation Commission (LAFCO) that it has received an annexation or governmental reorganization proposal, shall enact a resolution either incorporating the applicable allocation provisions of said agreement or declaring the existence of extenuating circumstances, and

WHEREAS, the City of Modesto annexation(s) and governmental reorganization(s) listed hereinafter in this resolution, have been submitted to the Local Agency Formation Commission (LAFCO) and notification of the proposed annexation(s) and governmental reorganization(s) has been given to the City of Modesto, and

WHEREAS, the City of Modesto has determined that the allocation provisions of said agreement, as hereinafter set forth, are applicable to said annexation(s) and governmental reorganization(s),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following City of Modesto annexation(s) and governmental reorganization(s) will have a Certificate of Filing issued by the Executive Officer of LAFCO after January 1, 1980:

Northumberland Drive Governmental Reorganization

The above listed annexation(s) and governmental reorganization(s) shall have the property tax allocated in accordance with the following allocation provisions of the above referred to agreement:

1) Affected cities will receive the property tax revenue formerly apportioned to affected special districts.

2) Affected cities will share in the annual tax increment attributable to the area of the annexed property.

3) Affected cities will receive twenty percent (20%) of the county's base property tax revenue attributable to the area of the annexed property.

SECTION 2. The City Clerk is hereby directed to transmit a certified copy of this resolution to the Executive Officer of LAFCO.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL) ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn E. Johnson
ELWYN E. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-100

RE-
A RESOLUTION/APPOINTING MEMBERS OF THE FARM-CITY ADVISORY COMMITTEE (PAUL LAVINE AND ROBERT TARO

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following persons are hereby appointed to the Farm-City Advisory Committee for the respective term as indicated:

Paul D. LaVine 3016 Old Oakdale Rd. Modesto, Ca. 95350 Term to expire 5-1-84	Robert Taro 3530 Maze Blvd. Modesto, Ca. 95351 Term to expire 5-1-84

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed members of the Farm-City Advisory Committee and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-101

A RESOLUTION APPOINTING MEMBER OF THE HOUSING MAINTENANCE AND COUNSELING SUBCOMMITTEE (BALVINO IRIZARRY)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to the Housing Maintenance and Counseling Subcommittee for the respective term as indicated:

Balvino Irizarry
1341 Sharonwood Drive
Modesto, Ca. 95355

Term to expire 6/30/83

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Housing Maintenance and Counseling Subcommittee and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 102

A RESOLUTION ACKNOWLEDGING THE EXISTENCE OF THE MOBILEHOME MEDIATION BOARD ESTABLISHED BY THE STANISLAUS COUNTY BOARD OF SUPERVISORS AND AUTHORIZING THE BOARD TO FUNCTION WITHIN THE MODESTO CITY LIMITS.

WHEREAS, a Mobilehome Mediation Board was created by the Stanislaus County Board of Supervisors by resolution adopted on October 2, 1979, and

WHEREAS, the purpose of said Mobilehome Mediation Board is to deal with mobilehome park complaints, and

WHEREAS, the Chairman of the Stanislaus County Board of Supervisors, by letter dated January 30, 1981, has requested that the City Council take action to formally authorize said Mobilehome Mediation Board to consider complaints within the City of Modesto,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby formally acknowledges the existence of the Mobilehome Mediation Board established by the Stanislaus County Board of Supervisors on October 2, 1979.

BE IT FURTHER RESOLVED that the Council authorizes said Mobilehome Mediation Board to function within the Modesto city limits.

BE IT FURTHER RESOLVED that the Council hereby authorizes the Mobilehome Mediation Board to perform the following functions within the City of Modesto:

(a) Fact finding in cases of owner/renter disputes;

(b) Mediation of disputes; and

(c) Making recommendations to the City Council when appropriate.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-103

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (292).

WHEREAS, a verified application for an amendment to Section 7-3-9 of the Zoning Map was filed by C.W. BROWER, INC. on October 30, 1980, to reclassify from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in the City of Modesto, County of Stanislaus, State of California, described as follows:

All that portion of the Northwest one-quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, shown as Parcel A on that certain Parcel Map filed for record February 1, 1973, in Volume 16 of Parcel Maps, at page 18, Stanislaus County Records.

Including also the western one-half of Carver Road, and the northern one-half of Standiford Avenue immediately adjacent to the above described property.

WHEREAS, after public hearing held on December 1, 1980, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The existing convenience mart and other small shops which already exist on this site were previously established in the County under the A-1 zone and have subsequently established a substantial commercial use of this site.

2. The P-D zone and conditio ns of approval insure a better degree of compatibility with surrounding properties.

WHEREAS, after a public hearing held on January 13, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of C.W. BROWER, INC. for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. _____-C.S. on the _____ day of _____, 19___, reclassifying the above-described property from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D (292).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(292) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan titled "Stop N Save Shopping Center" as amended in red, stamped approved by the City Council on February 17, 1981.

2. Prior to the issuance of any sign permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code and shall be as follows:

   (a) A minimum five foot wide planter with screen landscaping along the north property line.

   (b) Five foot wide planter adjacent to the Standiford Avenue frontage.

   (c) Enlargement of the existing planter located at the southeast corner of the site so as to reflect the general depth and area of the previously mentioned planter along Standiford Avenue.

   (d) Enlargement of the landscape planter adjacent to the gas pump island to a full 40 inch net width with adequate curbing so as to eliminate planter contamination by pump island runoff.

   (e) Addition of street tree blockouts in the sidewalk along the Carver Road Frontage.

3. Fencing shall be constructed prior to issuance of any sign permits and shall be as follows:

   Eight foot decorative masonry wall along the north and west property lines.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

6. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

7. No operations conducted on the premises shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration, or electrical interference detectable off the premises. All machinery or equipment shall be soundproofed as required by the Director of Public Works.

8. All activities in the loading dock area, including the parking of trucks, may be conducted only between the hours of 7 a.m. and 10 p.m.

9. All signs shall comply with the sign requirements of the C-1 Zone.

10. Prior to issuance of any sign permit, the developer shall pay the City of Modesto the cost of planting street trees, the number as determined by the Director of Public Works.

11. The developer shall dedicate to the City of Modesto a street tree planting easement along the Standiford Avenue frontage as required by the Director of Parks and Recreation.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (292):

Construction to begin on or before January 1, 1983, and completion to be not later than January 1, 1984.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (292) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang

NOES: Councilmembers: Muratore, Siefkin, Mayor Mensinger

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Michael C Herrera
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-103

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (292).

WHEREAS, a verified application for an amendment to Section 7-3-9 of the Zoning Map was filed by C.W. BROWER, INC. on October 30, 1980, to reclassify from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in the City of Modesto, County of Stanislaus, State of California, described as follows:

All that portion of the Northwest one-quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, shown as Parcel A on that certain Parcel Map filed for record February 1, 1973, in Volume 16 of Parcel Maps, at page 18, Stanislaus County Records.

Including also the western one-half of Carver Road, and the northern one-half of Standiford Avenue immediately adjacent to the above described property.

WHEREAS, after public hearing held on December 1, 1980, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The existing convenience mart and other small shops which already exist on this site were previously established in the County under the A-1 zone and have subsequently established a substantial commercial use of this site.

2. The P-D zone and conditio ns of approval insure a better degree of compatibility with surrounding properties.

WHEREAS, after a public hearing held on January 13, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of C.W. BROWER, INC. for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2016-C.S. on the 17th day of February, 1981, reclassifying the above-described property from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D (292).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(292) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan titled "Stop N Save Shopping Center" as amended in red, stamped approved by the City Council on February 17, 1981.

2. Prior to the issuance of any sign permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code and shall be as follows:

   (a) A minimum five foot wide planter with screen landscaping along the north property line.

   (b) Nine foot wide planter adjacent to the Standiford Avenue frontage.

   (c) Enlargement of the existing planter located at the southeast corner of the site so as to reflect the general depth and area of the previously mentioned planter along Standiford Avenue.

   (d) Enlargement of the landscape planter adjacent to the gas pump island to a full 40 inch net width with adequate curbing so as to eliminate planter contamination by pump island runoff.

   (e) Addition of street tree blockouts in the sidewalk along the Carver Road Frontage.

3. Fencing shall be constructed prior to issuance of any sign permits and shall be as follows:

   Eight foot decorative masonry wall along the north and west property lines.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

6. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

7. No operations conducted on the premises shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration, or electrical interference detectable off the premises. All machinery or equipment shall be soundproofed as required by the Director of Public Works.

8. All activities in the loading dock area, including the parking of trucks, may be conducted only between the hours of 7 a.m. and 10 p.m.

9. All signs shall comply with the sign requirements of the C-1 Zone.

10. Prior to issuance of any sign permit, the developer shall pay the City of Modesto the cost of planting street trees, the number as determined by the Director of Public Works.

11. The developer shall dedicate to the City of Modesto a street tree planting easement along the Standiford Avenue frontage as required by the Director of Parks and Recreation.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (292):

Construction to begin on or before January 1, 1983, and completion to be not later than January 1, 1984.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (292) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang

NOES: Councilmembers: Muratore, Siefkin, Mayor Mensinger

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Mitchell
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-104

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 7-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (C.W. BROWER, INC.)

WHEREAS, on February 17, 1981, the City Council introduced Ordinance No. 2016-C.S. giving approval to a project relating to an amendment to Section Map 7-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(292), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 7-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(292).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore, Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-105

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE MICROFILM DUPLICATOR FOR MANAGEMENT SERVICES

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of one microfilm duplicator for Management Services **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 10, 1981, at 2:05 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** February, 19 81, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-106

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE 8" COMPOUND WATER METER

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of one 8" compound water meter **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 17, 1981, at 2:00 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** February, 1981, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Maureen Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-107

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF WATERLINE EXTENSION IN SCENIC BEND

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of waterline extension in Scenic Bend

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 10, 1981, at 11:15 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** February, **19** 81, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-108

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR RESIDENTIAL ALLEY RECONSTRUCTION NO. 8

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for residential alleys located: (1) between Princeton Avenue and Yale Avenue; and Mills Avenue and Columbia Way; (2) between Mt. Vernon Drive and Joni Avenue; and Fay Avenue, and Catherine Everett School; (3) between McHenry Avenue and Kirkwood Avenue; and Northgate Drive and Leveland Lane; (4) between Monte Cristo Avenue and Hawthorne Avenue; and Monte Verde Avenue and Monte Carlo Avenue, copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 10, 1981, at 11:00 a.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 1981, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-109

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE INSTALLATION OF WATER AUTOMATION INSTRUMENTATION AND CONTROL WORK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the installation of water automation instrumentation and control work **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 10, 1981, at 11:05 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** February, 19 81, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-110

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $7,000 FOR WATER AUTOMATION INSTRUMENTATION AND CONTROL WORK

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Exigency Reserve (Water):	$7,000
TO:	Water Automation Data Logger:	$7,000

Required to complete Water Automation Data Logger.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** February, 19 81, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-111

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE RECONSTRUCTION OF WATER AUTOMATION CONTROL BUILDING

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the reconstruction of water automation control building **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 10, 1981, at 11:10 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** February, 19 81, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-112

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $65,000 FOR CONSTRUCTION OF AUTOMATION CONTROL BUILDING

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM: Exigency Reserve (water): $65,000

TO: Water Automation Data Logger: $65,000

Required to complete the Water Automation Data Logger.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** February, 19 81, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-113

A RESOLUTION ACCEPTING THE BID OF LEE WHITE PAVING COMPANY FOR IMPROVEMENT OF STANDIFORD AVENUE: MID LATERAL NO. 7 TO PRESCOTT ROAD

WHEREAS, Resolution No. 81-34 , adopted by the Council of the City of Modesto on January 20, 1981 , approved the plans and specifications for the improvement of Standiford Avenue; M.I.D. Lateral No. 7 to Prescott Road and authorized the calling for bids; and

WHEREAS, the bids received for the improvement of Standiford Avenue: M.I.D. Lateral No. 7 to Prescott Road were opened at 11:00 a.m. on February 10, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Lee White Paving Company in the amount of $22,464 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Lee White Paving Company in the amount of $22,464 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February , 1981 , by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-114

A RESOLUTION ACCEPTING THE BID OF SUPERIOR PIPELINE, INC. FOR THE EXTENSION OF WATERLINES IN DALLAS AVENUE AS COMPLETE

WHEREAS, Resolution No. 81-35, adopted by the Council of the City of Modesto on January 20, 1981, approved the plans and specifications for the the extension of waterlines in Dallas Avenue and authorized the calling for bids; and

WHEREAS, the bids received for the extension of waterlines in Dallas Avenue were opened at 11:05 a.m. on February 10, 1981 and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Superior Pipeline, Inc. in the amount of $13,251 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Superior Pipeline, Inc. in the amount of $13,251 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 1981, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-115

A RESOLUTION WAIVING FORMAL BID PROCEDURES FOR RECONSTRUCTING A 10-FOOT STRIP ON BLUE GUM AVENUE BETWEEN CARPENTER ROAD AND PRITCHARD AVENUE.

WHEREAS, Blue Gum Avenue is presently an old County road which is designated on the City's General Plan as a major street, and

WHEREAS, a portion of Blue Gum Avenue between Carpenter Road and Pritchard Avenue is currently under construction by The Flintkots Company on behalf of the developers of the West Campus Business Center project, and

WHEREAS, the south 30 feet of pavement will be reconstructed to City Standards by The Flintkote Company, and

WHEREAS, said reconstruction of Blue Gum Avenue involves cutting the old County road to a new grade which is 2 feet lower than existing grade, which cut will result in potential traffic and drainage problems unless the City undertakes a project to reconstruct the 10-foot portion of pavement adjacent to the north, which is part of the center 20-foot wide section of the right of way which is the responsibility of the City to improve, and

WHEREAS, the City has recently installed a sewer line in Blue Gum Avenue, and the sewer line trench must be repaved, said sewer line trench being located within the area that the City is responsible for improving, and

WHEREAS, the proposed project is a combination of the developer's work and the City construction, and will result in a 40-foot paved width which is necessary to accommodate traffic to new developments on the west side and to the Modesto Junior College, and

WHEREAS, because of the complications of scheduling the developer's work, the sewer line repaving, and the City street paving responsibility, it is necessary

to waive formal bid procedures, as provided by Section 1307 of the Modesto City Charter, and contract with The Flintkote Company to complete the City's paving responsibility which will minimize traffic disruption, reduce hazards, avoid an abrupt 2-foot high step in the pavement, and avoid possible claims for interference between contractors, and

WHEREAS, the City has received a favorable quote from The Flintkote Company of $23,500.00 for construction costs and the City will expend an additional sum estimated at $1,500.00 for engineering costs,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby declares that there is an urgent necessity for the preservation of life, health and property to waive the formal bid procedures required by Section 1307 of the Modesto City Charter, for the reconstruction of a 10-foot portion of Blue Gum Avenue between Carpenter Road and Pritchard Avenue. Such urgency is necessary in order to minimize traffic disruption, reduce hazards, avoid an abrupt 2-foot high step in the pavement, and avoid possible claims for interference between contractors.

BE IT FURTHER RESOLVED that the City Manager is authorized to contract with The Flintkote Company, a corporation, to do the reconstruction of a 10-foot portion of Blue Gum Avenue between Carpenter Road and Pritchard Avenue for an amount not to exceed the sum of $23,500.00, and to expend up to $1,500.00 for engineering costs.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 1981, by Councilmember

Kullijian
_____, who moved its adoption, which motion being duly seconded by
Muratore
Councilmember _____, was upon roll call carried and the resolution adopted
by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-116

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY MID-VALLEY ENGINEERING, INC. TO AN ENVIRONMENTAL REVIEW COMMITTEE DECISION CONCERNING P-D(166) SISK AND VINTAGE FAIRE (R.T. HUGHES CO.)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 3, 1981, at 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Mid-Valley Engineering, Inc. to an Environmental Review Committee decision concerning P-D(166), Sisk and Vintage Faire.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** February, 19 81, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-117

A RESOLUTION AMENDING THE FINAL BUDGET OF THE CITY OF MODESTO FOR FISCAL YEAR 1980-81.

WHEREAS, it has been determined that certain adjustments are required to the Final Budget of the City of Modesto for Fiscal Year 1980-81,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following appropriation adjustments be made to the Final Budget of the City of Modesto for the Fiscal Year 1980-81.

General Fund (Fund No. 01)

Account	Description	Increase (Decrease)
100/0199	Employee Services	$10,150
425/6202	Retirement/PERS	19,908
401/6502	Membership & Dues	687
200/1999	Professional & Contractual Services	14,000
200/1899	Professional & Contractual Services	1,067
200/3199	Professional & Contractual Services	88
200/3399	Professional & Contractual Services	44
300/1499	Materials & Supplies	130
300/1699	Materials & Supplies	49
300/1899	Materials & Supplies	703
300/3199	Materials & Supplies	11
300/3299	Materials & Supplies	144
300/3399	Materials & Supplies	123
300/3695	Materials & Supplies	7
300/4499	Materials & Supplies	89

Account	Description	Increase (Decrease)
300/4699	Materials & Supplies	$ 1,504
5518/0501	Typewriter	828
100/1899	Employee Services	(597)
100/3199	Employee Services	(8,361)
100/3299	Employee Services	(1,448)
407/6202	Unemployment Insurance	(70,676)
61-02/8911	Contingency Reserve for Salary and Material Increases	31,550
	Total Change to General Fund	$ -0-

Airport Fund (Fund No. 63)

Account	Description	Increase (Decrease)
200/5499	Professional & Contractual Services	$ 7,000
61-04/8911	Contingency Reserve for Pending Projects	(7,000)
	Total Change to Airport	$ -0-

Sewer Fund (Fund No. 62)

Account	Description	Increase (Decrease)
5310-79/5214	Fuel Storage Tank & Pumps	($ 1,300)
6550-00/7113	Storm Flow Bypass	(4,351)
6640-00/7114	Wastewater Treatment Unit 1	(9,767)
61-01/8911	Exigency Reserve	15,418
	Total Change to Sewer	$ -0-

Aviation Fund (Fund 64)

Account	Description	Increase (Decrease)
6473-04/7101	Fire Crash Rescue Facility	($43,084)
6531-01/7101	Security Fence Relocate	(118)
61-04/8911	Contingency Reserve for Pending Projects	43,202
	Total Change to Aviation Fund	$ -0-

Bus Service Fund (Fund 65)

Account	Description	Increase (Decrease)
200/1699	Professional & Contractual Services	($ 42,780)
6065-00/7101	Replace Buses	(139,074)
61-01/8911	Exigency Reserve	181,854
	Total Change to Bus Fund	$ -0-

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 1981, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-118

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND TAX STRATEGY - FARA ESTATES LIMITED TO ACQUIRE TWO LOTS ON FARA BIUNDO DRIVE NEEDED FOR PROPOSED FIRE STATION NO. 9 AND A NEW WELL SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Tax Strategy - Fara Estates Limited to acquire two lots on Fara Biundo Drive needed for proposed Fire Station No. 9 and a new well site

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 1981, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-119

A RESOLUTION APPROVING THE FINAL MAP OF THE JASON PARK SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, VIRGINIA BERG, is/~~are~~ possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 1.87 acres, known as the Jason Park Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 4th day of February, 1980, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Jason Park Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct, and

WHEREAS, all public improvements required by the City of Modesto have been completed in said tract,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the improvements completed in said tract be accepted; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal

Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 19 81, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 120

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan for the City of Modesto was adopted by Modesto City Council Resolution No. 67-77 pursuant to Rule 2 of the Personnel Rules and Regulations of the City of Modesto, and

WHEREAS, the City Manager has recommended to the Council amendments to the Position Classification Plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that revisions to the Classification Plan shall be effective upon adoption of resolution of the City Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. CLASSIFICATION DELETED. The Position Classification Plan of the City of Modesto is hereby amended to abolish the classification of Fire Prevention Inspector Trainee.

SECTION 2. CLASSIFICATIONS CREATED. The Position Classification Plan of the City of Modesto is hereby amended to create the following classifications:

CLASSIFICATIONS CREATED

Mechanical Maintenance Supervisor/Treatment Plant

Water System Inspector

The specifications for the classifications created, as shown on Exhibits "A" and "B", which are attached hereto are hereby approved and made a part of the Position Classification Plan for the City of Modesto.

SECTION 3. CLASSIFICATIONS AMENDED. The Position Classification Plan of the City of Modesto is hereby amended to amend the specifications for the classifications of Wastewater Treatment Plant Mechanic, as shown on Exhibit "C", Water Quality Control Superintendent, as shown on Exhibit "D", Wastewater Treatment Plant Supervisor, as shown on Exhibit "E", Police Lieutenant, as shown on Exhibit "F", and Word Processing Technician II, as shown on Exhibit "G", which are attached hereto and hereby approved and made a part of the Position Classification Plan for the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 1981, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MECHANICAL MAINTENANCE SUPERVISOR/TREATMENT PLANT

DEFINITION

Under direction, assigns and supervises the work of personnel in the maintenance and repair of wastewater treatment plant facilities; to perform major and minor maintenance and repair of wastewater treatment plant engines, pumps, lift stations, and related equipment; and to do related work as required.

EXAMPLES OF DUTIES

Assigns and supervises maintenance crews in major and minor repair work and overhauls on plant engines, pumps and related equipment; supervises the use of special equipment involved in maintenance and repair work; assists in estimating and scheduling work to be done and in determining type and quantities of materials needed for such work; reviews work projects in progress and upon completion; inspects buildings and equipment for needed maintenance and repair; insures the proper use and care of tools, materials, and safety equipment; assures adherence to safety, cleanliness, fire prevention rules and standards; consults with immediate supervisor in planning work load and assignments; provides training to less experienced employees; tunes up engines, sets valve clearances, cleans and adjusts regulators, cleans and inspects magnetic points, cleans and adjusts engine timing, and checks gas and other controls and devices; maintains and repairs pumps, replaces bearings, valves, seals and sleeves, and repacks pumps; checks and maintains meters and controllers; builds pump mounts, brackets, and does some welding, drilling, milling, and tapping work; replaces electrical motors and lays conduits; repairs blowers; maintains comprehensive logs of all maintenance work done on equipment.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

Incumbents will be required to file a Statement of Economic Interest.

Possession of a valid Grade III Mechanical Technologist Certificate issued by the California Water Pollution Control Association is desirable, but not mandatory.

PROBATION

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYEE STANDARDS

Knowledge of:

The methods, materials, equipment and tools used in the construction, repair, and operation of engines, pumps, and other mechanical equipment related to Wastewater Treatment Plant Operations and Procedures;
The principles and practices of an effective mechanical, structural and grounds preventive maintenance program;
Operations of internal combustion engines and electrical pump motors;
Basic electrical knowledge involved in working on pumps, motors, and other equipment;
Equipment, tools, and materials used in maintaining and repairing wastewater treatment plant and related equipment;
The principles of supervision and training;
Safety principles and practices and related State and Federal laws and regulations.

and

Ability to:

Coordinate and supervise the personnel and other resources required in the maintenance and repair of wastewater treatment facilities;
Evaluate maintenance policies and objectives;
Make estimates of cost and time for all aspects of maintenance, repair, and construction work;
Prepare rough sketches of maintenance, repair, and construction jobs;
Read, interpret and work from blueprints, drawings, sketches, plans, specifications, and technical illustrations;
Perform skilled mechanical repair work on wastewater treatment plant engines, pumps, and other equipment;
Diagnose malfunctions and determine effective courses of action for correcting them;
Perform heavy manual labor;
Keep records and prepare routine and special reports;
Follow oral and written directions;
Communicate effectively orally and in writing;
Develop, implement, and enforce safety regulations and procedures;
Provide training to less experienced employees;
Establish and maintain cooperative relationships with those contacted during the course of work.

and

Education and Experience:

Education equivalent to the completion of the twelfth grade, and Six (6) years of recent progressively responsible experience in the mechanical and structural maintenance, construction and repair of wastewater treatment plants, pumping stations, or equivalent facilities, at the least one (1) of which must have been in a responsible lead or supervisory management capacity.

WATER SYSTEM INSPECTOR

DEFINITION

Under general supervision, to enforce the City of Modesto cross connection ordinance; to inspect firms and residences for compliance with City codes and ordinances regulating water use; to monitor water systems for dangers to public health; and to do related work as required.

EXAMPLES OF DUTIES

Enforces the City of Modesto cross connection ordinance; inspects industrial, commercial and residential customer premises to determine cross connection hazards, chemical and/or water uses that may endanger the public water system; reviews plans and recommends to the customer the need for and type of backflow prevention devices required; conducts tests for proper operation of backflow prevention devices; investigates complaints; maintains a variety of records and reports.

SPECIAL REQUIREMENTS

Complete satisfactorily the short course for the Certification of Backflow Prevention Device Testing as soon as possible after appointment. (Expenses to be paid by the City of Modesto.)

Incumbents will be required to file a Statement of Economic Interests.

EMPLOYMENT STANDARDS

Knowledge of:

- Water treatment processes;
- Codes, ordinances and regulations applicable to the monitoring of water distribution system;
- Operation and maintenance of equipment used for the testing and repair of backflow prevention devices;
- Methods and procedures in monitoring water systems;
- Practices for collection of water samples;
- Hydraulics as related to piping systems; of valves, fittings and backflow prevention devices; and of water distribution principles.

and

Ability to:

- Monitor water systems for dangerous conditions;
- Tactfully enforce codes, ordinances, and other regulations applicable to cross connection control;
- Investigate customer complaints related to the water system and prepare effective responses;
- Prepare reports and keep a variety of records;
- Establish and maintain cooperative relationships with those contacted during the course of work.

and

Experience and Education:

1. At least sixty (60) college semester units, including fifteen (15) units of chemistry, biology, and physics from an accredited college or university and two (2) years experience in the operation and maintenance of a water distribution system.

or

2. High School graduation, or a satisfactory equivalent, and six (6) years of experience in the operation and maintenance of a water distribution system.

MECHANIC/TREATMENT PLANT

DEFINITION

Under general supervision, to perform major and minor maintenance repair of wastewater treatment plant engines, pumps, and related equipment; to check, maintain, and repair equipment in lift stations; to oversee and participate in the work of a small crew engaged in plant repair and maintenance; and to do related work as required.

EXAMPLES OF DUTIES

Lays out, oversees, and participates in the work of a small crew that performs major and minor repair work and overhauls on wastewater treatment plant engines, pumps, and lift stations; tunes up engines, sets valve clearances, cleans and adjusts regulators, cleans and inspects magnetic points, cleans and adjusts engine timing, and checks gas and other controls and devices; checks pumping stations on a regular basis, performing routine maintenance and other repair work as necessary; maintains and repairs pumps, replaces bearings, valves, seals and sleeves, and repacks pumps; repairs and replaces chains and sprockets; checks and maintains meters and controllers; builds pump mounts, brackets, and does some welding, drilling, milling, and tapping work; replaces electrical motors and lays conduits; performs regularly scheduled preventive maintenance work on plant and pumping station equipment; repairs blowers; maintains comprehensive logs of all maintenace work done on equipment; performs a variety of shop work incidental to assigned maintenance activity; does some painting of equipment; maintains an adequate inventory of supplies necessary for maintenance work under supervision of the Mechanical Maintenance Supervisor; keeps work areas in a clean and orderly condition; operates a boom truck for removing pumps, machinery, and equipment for overhaul and repair; helps out, when required, in all phases of reclamation plant activities and operations.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

EMPLOYMENT STANDARDS

Knowledge of:

- Principles and techniques of repairing and maintaining wastewater treatment plant engines, pumps, and other equipment;
- Operations of internal combustion engines and electrical pump motors;
- Basic electrical knowledge involved in working on pumps, motors, and other equipment;
- Equipment, tools, and materials used in maintaining and repairing wastewater treatment plant and related equipment;
- Safe work, practices, and procedures;
- Principles of supervision and training.

and

Exhibit "C"

Ability to:

Lay out, oversee, and participate in the work of a small crew assigned to perform plant repair and maintenance;
Perform skilled mechanical repair work on wastewater treatment plant engines, pumps, and other equipment;
Diagnose malfunctions and determine effective courses of action for correcting them;
Perform a variety of semiskilled work in electrical, plumbing, and heating areas;
Perform heavy manual labor;
Provide training to less experienced employees;
Understand and carry out oral and written reports;
Maintain work records and prepare reports;
Order supplies and materials necessary for repair work;
Establish and maintain cooperative relationships with those contacted during the course of work.

and

Experience: Five (5) years of full-time experience in mechanical repair work.

WATER QUALITY CONTROL SUPERINTENDENT

DEFINITION

Under general direction, to plan, organize, direct, and evaluate the maintenance, operation, modification, and improvement of the City's wastewater treatment plant facilities, sewer system, and related facilities; and to do related work as required.

EXAMPLES OF DUTIES

Plans, organizes, directs, and evaluates the daily activities of the wastewater treatment plant, sewer system, and related facilities; provides training and work review of subordinate personnel; oversees the operations of a biochemical testing laboratory; supervises the maintenance and repairs of the City sewer system; directs monitoring and revenue programs on industrial wastes; makes recommendations for improvement and construction of wastewater treatment facilities; supervises the preparation of a variety of reports required by regulatory agencies involved in the control of water pollution; supervises the preparation of payroll reports, employee evaluations, and other reports on wastewater functions and activities for City officials; confers with other City personnel and engineering specialists regarding the effectiveness of plant operations; recommends changes in operating procedures; prepares the annual water quality budget and controls expenditures; insures an adequate inventory of supplies, parts, and equipment for the wastewater treatment plant and related facilities; represents the water quality control program before other governmental bodies and regulatory agencies.

SPECIAL REQUIREMENTS

Possession of a valid Grade 5 certificate as issued through procedures established by the California State Water Resources Control Board. Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

Incumbents will be required to file a Statement of Economic Interests.

PROBATION

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

Wastewater treatment systems and plant operations commensurate with that required for State certification;
Materials, methods, tools, and equipment used in the operation and maintenance of wastewater treatment plant and sewer facilities;

Principles, objectives, and tests used in a biochemical laboratory;
Design and engineering of wastewater treatment and sewage facilities;
Safety principles and practices and related State and Federal laws and regulations;
Principles of supervision, training, and employee evaluation.

and

Ability to:

Plan, organize, direct, and evaluate the work of a wastewater treatment plant, sewer system, and related facilities;
Analyze operations and recommend improvements;
Direct the monitoring of a potable water supply;
Maintain accurate operational records and prepare reports required by City officials and regulatory agencies;
Provide a training program for subordinate personnel;
Keep informed of the latest developments in the wastewater treatment field;
Establish and maintain cooperative relationships with those contacted during the course of work.

and

Experience and Education:

1. A Bachelor's Degree in Engineering or a Bachelor's Degree with a major related to the wastewater treatment field and two (2) year's supervisory experience in wastewater treatment.

or

2. An AA degree including 15 units of basic science from a community college or two (2) years at an accredited college or university including 15 units of basic science and four years of experience, two (2) years of which must be at a supervisory level, in the operation and maintenance of a wastewater treatment plant, or a major part thereof.

or

3. Graduation from high school or a satisfactory equivalent and six (6) years' experience, two (2) years of which must be at a supervisory level, in the maintenance and operation of a wastewater treatment plant, or a major part thereof, and a minimum of 32 educational points as established in SECTION 2481 of the California Administrative Code (Chapter 3, Title 23, Subchapter 14, Article 5).

WASTEWATER TREATMENT PLANT SUPERVISOR

DEFINITION

Under direction, to plan, coordinate, supervise, and evaluate wastewater treatment plant facilities maintenance, operations, and chemical analyses; and to do related work as required.

EXAMPLES OF DUTIES

Plans, directs, and evaluates wastewater treatment plant facilities maintenance, and repairs; establishes shift schedules and assures the proper assignment of personnel; supervises plant operations including the proper adjustment of plant processes; directs sampling operations to assure proper balance of treatment steps and meeting of effluent requirements; insures the proper conduct of laboratory tests; assists with the proper billing of industrial accounts, based on laboratory reports; orders materials and supplies for laboratory operation; prepares monthly activity reports and operational reports required by other government agencies; maintains files and records on plant operations; assists with the establishment of the plants' operating budgets and control of expenditures; directs safety meetings; may act for the Water Quality Control Superintendent.

SPECIAL REQUIREMENTS

Possession of a valid Grade 3 certificate as issued through procedures established by the California State Water Resources Control Board.

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

Incumbents will be required to file a Statement of Economic Interests.

PROBATION

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

- Principles and practices of wastewater treatment plant operations;
- Operating principles of valves, pumps, and motors;
- Principles and methods of bacteriological and chemical sewage analyses;
- Effects and problems of industrial waste in wastewater treatment processes;
- Principles of budget preparation and expenditure control;
- Safety principles and practices and related State and Federal laws and principals of supervision, training, and employee evaluation regulations.

and

Ability to:

Direct the repair and maintenance of wastewater treatment plant facilities;
Establish and maintain effective sample procedures of plant operations and effluent;
Supervise the proper chemical testing procedures of a treatment plant laboratory;
Diagnose operating problems and direct effective correction procedures;
Prepare required reports and maintain complete record-keeping procedures;
Supervise and train employees;
Establish and maintain cooperative relationships with those contacted during the course of work.

and

Education and Experience:

1. An AA degree including 15 units of basic science from a community college or two (2) years at a college or university including 15 units of basic science and two (2) years experience in the operation and maintenance of a waste water treatment plant or a major part thereof.

or

2. High school education or satisfactory equivalent and four (4) years of experience in the operation of a wastewater treatment plant and a minimum of 16 educational points as established in SECTION 2481 of the California Administrative Code (Chapter 3, Title 23, Subchapter 14, Article 5).

or

3. Three (3) years experience while in the possession of Grade 2 certification issued by the California State Water Resources Control Board.

POLICE LIEUTENANT

DEFINITION

Under direction, to command or assist in the command of a departmental unit or shift; and to do related work as required.

EXAMPLES OF DUTIES

Assigns, directs, trains, and supervises the work of police officers in an assigned unit or shift; has command responsibility for the department in the absence of higher ranking officers; supervises the preparation of required reports; coordinates the work of the assigned unit with that of other departmental units and with other civil or law enforcement agencies; directs special studies or investigations; makes talks to interested civil groups; reviews activity reports; inspects and evaluates the work of sworn police officers and non-sworn subordinates; acts for superior officer when so assigned.

SPECIAL REQUIREMENTS

License: Possess a valid California driver's license.

Incumbents assigned as Records Commander will be required to file a Statement of Economic Interests.

Probation: All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the Police Chief is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

Police administration methods and techniques;
Completed staff work in oral and written reports;
Principles of supervision and training;
Assigning, reviewing and evaluating the work of subordinate personnel;
Criminal law;
Investigation and crime prevention methods;
Causes, prevention, and control of delinquency;
Rules of evidence;
Safe use and care of small firearms;
Laws governing the custody of persons.

and

Exhibit "F"

Ability to:

Plan, coordinate, direct, train, and evaluate an assigned unit or shift including both sworn and/or non-sworn personnel;
Use completed staff work to prepare accurate and comprehensive reports;
Analyze law enforcement problems or situations and adopt an effective course of action;
Establish and maintain cooperative relationships with the public, subordinates, law enforcement officials, and others contacted during the course of work.

and

Experience and Education:

Two years or more of full-time experience as a Police Sergeant with the City of Modesto.

Completion of 60 semester units through P.O.S.T. training points or at an accredited college or university of courses directly related to law enforcement, including completion of the California Peace Officers Standards and Training basic course.

DEFINITION

Under general supervision, to type varied and complex documents on automated word processing equipment in a central word processing facility and do related work as required.

DISTINGUISHING CHARACTERISTICS

Word Processing Technician I is the journey level class which would normally be filled by advancement from the lower class of Word Processing Trainee.

Word Processing Technician II is the class that performs training and supervises the central word processing facility in the absence of the Word Processing Supervisor.

EXAMPLES OF DUTIES

Operates word processing equipment in transcribing from recorded dictation or handwritten drafts, memoranda, letters, charts, reports and special forms; proofreads work for text content, spelling, punctuation and grammar; logs all incoming and outgoing work; maintains security of confidential information; assigned as relief secretary to operating departments.

EMPLOYMENT STANDARDS

Knowledge of:

City of Modesto Word Processing Center procedures and practices;
Magnetic keyboards;
Office methods, practices, and procedures;
English usage, spelling, grammar, punctuation, and vocabulary.

Ability to:

For Word Processing Technician I

Organize work;
Type at a speed of 60 words per minute from straight copy;
Apply principles of good English grammar;
Spell correctly;
Transcribe at 30 net words per minute;
Present a pleasing personality and manner;
Proofread own material;
Understand and carry out oral and written instructions;
Establish and maintain cooperative working relationships with those contacted during the course of work.

For Word Processing Technician II

In addition to the above abilities, ability to train and supervise subordinate personnel.

Experience:

For Word Processing Technician I

One year experience as a Word Processing Trainee with the City of Modesto.

For Word Processing Technician II

One year experience as Word Processing Technician I

or

Two years of experience operating a magnetic keyboard.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-121

A RESOLUTION AMENDING EXHIBIT "F" OF RESOLUTION NO. 80-591 ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE."

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. AMENDMENT TO RESOLUTION NO. 80-591. Exhibit "F" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1980-81" attached to Resolution No. 80-591, is hereby amended as shown on the amended Exhibit "F" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1980-81" which is attached hereto and made a part hereof as though set forth in full herein. Said amended Exhibit "F" deletes the classification of Fire Prevention Inspector Trainee from Range 112.0. Said amended Exhibit "F" adds the classifications of Mechanical Maintenance Supervisor/Treatment Plant to Range 424.5, and Water System Inspector to Range 125.0.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 1981, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL) ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn J. Johnson
ELWYN J. JOHNSON, City Attorney

CITY OF MODESTO
ALPHABETICAL LISTING OF CLASSIFICATIONS IN CITY SERVICE
1980-81

(Effective 7-1-80, amended 7-15-80, 8-5-80, 9-2-80, 2-17-81)

Range No.	Title of Classification
111.5	Account Clerk I
114.5	Account Clerk II
116.5	Account Clerk III
119.5	Account Clerk IV
426.0	Accountant
433.0	Accounting Administrator
426.0	Administrative Analyst
426.5	Administrative Assistant (Parking & Traffic)
429.0	Airport Manager
424.5	Airport Maintenance Supervisor
116.5	Animal Control Officer I
118.5	Animal Control Officer II
426.5	Arborist
122.0	Assistant Building Inspector
426.0	Assistant Chief Electrician
633.0	Assistant Chief of Police
434.0	Assistant City Attorney
420.5	Assistant City Clerk
429.0	Assistant Civil Engineer
433.0	Assistant Director of Parks & Recreation
436.0	Assistant Director of Public Works
122.5	Assistant Electrician
426.0	Assistant Planner
126.0	Assistant Property Agent
426.0	Assistant Property Agent(MGT)
122.0	Assistant Public Services Inspector
426.0	Assistant Shop Supervisor
122.0	Assistant Zoning Inspector
432.0	Associate Civil Engineer
429.0	Associate Planner
426.0	Budget Accountant
125.0	Building Inspector
424.5	Building Maintenance Supervisor
120,5	Building Maintenance Worker
122.5	Building Maintenance Leadworker

Range No.	Title of Classification
433.0	Chief Building Official
429.0	Chief Electrician
N/A	Chief of Police
426.5	Chief of Survey Party
N/A	City Attorney
N/A	City Clerk and Auditor
N/A	City Manager
117.5	Civil Engineering Technician I
120.5	Civil Engineering Technician II
123.5	Civil Engineering Technician III
126.5	Civil Engineering Technician IV
124.0	Coach Mechanic
120.5	Community Service Officer
119.5	Computer Operator
125.0	Construction Inspector
123.0	Crime Analyst
426.5	Data Processing Supervisor
427.0	Deputy City Attorney I
430.0	Deputy City Attorney II
312.0	Detective
N/A	Director of Finance
N/A	Director of Management Services
N/A	Director of Parking and Traffic
N/A	Director of Parks and Recreation
N/A	Director of Planning and Community Development
N/A	Director of Public Works and City Engineer
120.5	Electrical Technician
118.5	Electrical Trainee
124.5	Electrician
126.0	Engineering Computer Programmer
122.0	Equipment Mechanic
120.5	Equipment Operator
119.0	Equipment Service Worker
118.5	Evidence and Property Specialist

wpc 2/10/81 Exhibit "F"

ALPHABETICAL LISTING (Continued)

Range No.	Title of Classification
120.5	Financial Specialist
529.0	Fire Battalion Chief
N/A	Fire Chief
211.0	Fire Engineer
210.0	Fire Fighter
213.0	Fire Lieutenant
112.0	Fire Prevention Inspector Trainee (Eff. until 2-17-81)
120.5	Fire Prevention Technician
122.5	Heavy Equipment Operator
120.5	Housing Conservationist
432.0	Housing Program Officer
125.0	Industrial Waste Inspector
116.5	Janitor
123.0	Junior Accountant
126.0	Junior Civil Engineer
123.0	Junior Planner
114.5	Keypunch Operator
122.5	Laboratory Technician
113.5	Laborer (Unclassified) Effective October 7, 1980
116.5	Laborer (Unclassified) Effective Until October 6, 1980
426.0	Landscape Designer
125.0	Lead Coach Mechanic
123.0	Lead Equipment Mechanic
416.5	Legal Secretary I
418.5	Legal Secretary II
113.5	Maintenance Worker Trainee
116.5	Maintenance Worker
429.0	Management Assistant
429.0	Management Assistant(Risk Manager)
122.5	Mechanic/Treatment Plant (Eff. 2-17-81)
424.5	Mechanical Maintenance Supervisor/ Treatment Plant (Eff. 2-17-81)
113.5	Microfilm and Graphics Technician I
115.5	Microfilm and Graphics Technician II
120.5	Motor Sweeper Operator
424.0	Museum Supervisor
122.5	Nursery Propagator
106.5	Office Aide I
109.5	Office Aide II
113.5	Office Services Clerk
122.5	Office Services Supervisor
122.5	Parking and Traffic Leadworker
120.5	Parking and Traffic Maintenance Worker
122.5	Parks Maintenance Leadworker
424.5	Parks Maintenance Supervisor I
426.5	Parks Maintenance Supervisor II
118.5	Parks Maintenance Worker I
120.5	Parks Maintenance Worker II
429.0	Parks Superintendent
413.5	Personnel Clerk
432.0	Personnel Manager
420.5	Personnel Technician
126.0	Plan Review Engineer I
426.0	Plan Review Engineer I (MGT)
117.5	Planning Technician I
120.5	Planning Technician II
123.5	Planning Technician III
632.0	Police Captain
113.5	Police Clerk
630.0	Police Lieutenant
310.0	Police Officer
425.0	Police Records Supervisor
628.0	Police Sergeant
115.5	Printing Services Operator I

Range No.	Title of Classification
118.5	Printing Services Operator II
123.0	Programmer
426.0	Programmer Analyst
430.0	Property Agent
427.0	Public Services Officer
106.5	Public Services Trainee
122.5	Public Works Leadworker
118.5	Public Works Maintenance Worker I
120.5	Public Works Maintenance Worker II
424.5	Public Works Supervisor I
426.5	Public Works Supervisor II
120.5	Pump Maintenance Worker
122.0	Purchasing Assistant I
124.0	Purchasing Assistant II
429.0	Purchasing Officer
117.5	Recreation Program Supervisor
429.0	Recreation Superintendent
426.0	Recreation Supervisor
125.0	Rehabilitation Specialist
117.5	Risk Management Assistant I
120.5	Risk Management Assistant II
116.5	Secretary I
416.5	Secretary I (Conf.)
418.5	Secretary II
420.5	Secretary to the City Attorney
421.5	Secretary to the City Manager
126.5	Senior Building Inspector
416.5	Senior Personnel Clerk
423.5	Senior Personnel Technician
432.0	Senior Planner
428.0	Senior Rehabilitation Specialist
429.0	Shop Supervisor
123.5	Social Services Coordinator
423.5	Social Services Coordinator (MGT)
114.5	Stenographer Clerk
118.5	Storeskeeper I
120.5	Storeskeeper II
120.5	Street Trees Maintenance Worker II
428.0	Supervising Building Inspector
113.5	Telephone Operator-Receptionist
429.0	Transit Manager
120.5	Tree Trimmer I
122.5	Tree Trimmer II
109.5	Typist Clerk I
111.5	Typist Clerk II
113.5	Typist Clerk III
424.5	Warehouse Supervisor
118.5	Wastewater Treatment Plant Attendant
122.5	Wastewater Treatment Plant Mechanic (Eff. until 2-17-81)
120.5	Wastewater Treatment Plant Operator I
122.5	Wastewater Treatment Plant Operator II
426.5	Wastewater Treatment Plant Supervisor
432.0	Water Quality Control Superintendent
118.5	Word Processing Supervisor
114.5	Word Processing Technician I
116.5	Word Processing Technician II
113.5	Word Processing Trainee
425.0	Zoning Inspector

Totals: 11 City Manager, Department Heads
173 Other
184

wpc 2/10/8

MODESTO CITY COUNCIL
RESOLUTION NO. 81-122

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB AND SIDEWALK ALONG FRANKLIN AVENUE AT 325 MAZE BOULEVARD (MARY BIANCO - $1,910)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 24, 1981, at 7:30 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of a report of Superintendent of Streets on the cost of installation of curb and sidewalk along Franklin Avenue at 325 Maze Boulevard.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 1981, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-123

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR A THIRD YEAR GRANT FOR LAW ENFORCEMENT PURPOSES TO THE CALIFORNIA COUNCIL ON CRIMINAL JUSTICE

WHEREAS, the City of Modesto desires to continue a certain project designated Community Service Officer, to be funded in part under the provisions of the Juvenile Justice and Delinquency Prevention Act of 1974, PL 93-415, as amended (Federal Funds $13,329; City match,$9,026.87) hereafter referred to as the Juvenile Justice Act, administered by the California Council on Criminal Justice, hereafter referred to as CCCJ.

NOW, THEREFORE, BE IT RESOLVED that the City Manager of the City of Modesto or his authorized representative, is authorized, on its behalf to submit the attached Application for Grant for law enforcement purposes to CCCJ and is authorized to execute on behalf of the City of Modesto the attached Grant Award Contract for law enforcement purposes including any extensions or amendments thereof.

BE IT FURTHER RESOLVED that the applicant agrees to provide all matching funds required for said project (including any extension or amendment thereof) under the Juvenile Justice Act and the rules and regulations of CCCJ and the Law Enforcement Assistance Administration and that cash will be appropriated as required thereby.

BE IT FURTHER RESOLVED that in so far as it is legally possible, it is the intent of the City of Modesto cooperate with The California Council on Criminal Justice and encourage the continuation of this program after Federal funding is discontinued.

BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant on-going law enforcement expenditures.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 1981, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Council-

member Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-124

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR HOUSER LANE NO. 1 GOVERNMENTAL REORGANIZATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for Houser Lane No. 1 Governmental Reorganization Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 1981, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City MODESTO

2. Name of Proposed Annexation HOUSER LANE NO. 1 GOVERNMENTAL REORGANIZATION

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

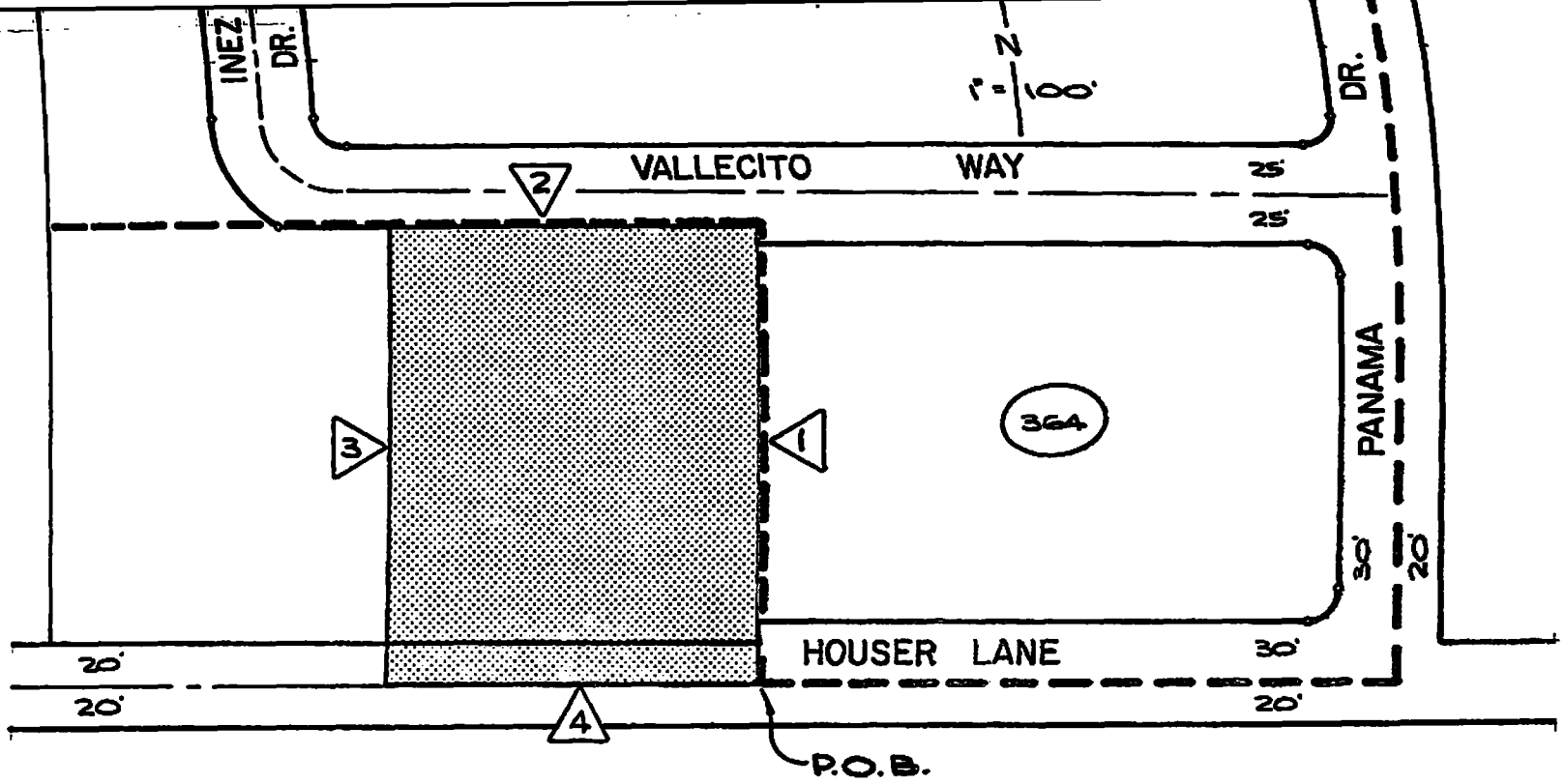
YES

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

NO

5. Other comments the city would like to make.

NONE



1	N 00° 07' 46" W	220.00'
2	S 89° 46' 38" W	180.00'
3	S 00° 07' 46" E	220.00'
4	N 89° 46' 38" E	180.00'

BASIS OF BEARINGS:

S 89° 46' 38" W FOR THE SOUTHERN LINE OF HACIENDA VILLAS SUBDIVISION AS PER MAP FILED 2-27-80, VOL. 29 OF MAPS, PAGE 10.

(364) CALIFORNIA-PANAMA ADDITION
FILED 12-30-77, INST. NO. 42193

— — — PREVIOUS ANNEXATION BOUNDARY
REFERENCES ARE TO STANISLAUS COUNTY RECORDS

HOUSER LANE NO. 1
GOVERNMENTAL REORGANIZATION

0.909 ACRES

2-5-81 RF

S-A-420

MODESTO CITY COUNCIL
RESOLUTION NO. 81-125

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 22-3-9 OF THE ZONING MAP (TOM MACDONALD)

WHEREAS, the Modesto City Planning Commission held a public hearing on February 2, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 22-3-9 of the Zoning Map to rezone from P-O P-D(296) property located on the east side of Coffee north of E. Coolidge to allow conversion of an office complex to condominiums

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-45 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 22-3-9 of the Zoning Map be set for March 10, 1981, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 1981, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that portion of the northwest quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

The south half of Lot 5, all of Lot 6, and the north 63.26 feet of Lot 7 in Block 1212 of Garden Acre Tract, as per map thereof filed November 18, 1940 in Volume 14 of Maps, Page 9, Stanislaus County Records.

Including also all of the east one-half of Coffee Road and west one-half of Water Street immediately adjacent to the above described property.

SCHEDULE "A"
TOM MACDONALD

MODESTO CITY COUNCIL
RESOLUTION NO. 81-126

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO ADD SECTION 10-2.2703.1 TO THE ZONING REGULATIONS RELATING TO CONDOMINIUMS

WHEREAS, the Modesto City Planning Commission held a public hearing on February 2, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to add Section 10-2.2703.1 relating to condominiums as follows:

> Section 10-2.2703.1. CONDOMINIUMS. Condominiums, community apartment projects and stock cooperatives, whether residential or otherwise, are permitted uses only in the Planned Development Zone. Any Planned Development Zone application for rezoning to permit a condominium project, community apartment project, or stock cooperative shall be accompanied by an application for a tentative subdivision map in accordance with the requirements of Chapter 4 of Title IV of the Modesto Municipal Code.

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-47 recommending to the Council that addition of the section described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to add Section 10-2.2703.1 of the Zoning Map be set for March 10, 1981, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 19 81, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-127

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO P-D(60) (CALVIN BRIGHT, LEW & ASSOCIATES)

WHEREAS, the Modesto City Planning Commission held a public hearing on February 2, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to P-D(60), property located between Miller and Haddon Avenues west of North Riverside Drive to allow condo conversion of 96-unit apartment project;

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-42 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to P-D(60) of the Zoning Map be set for March 10, 1981, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 19 81, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-128

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN APPLICATION FOR UNITED CALIFORNIA BANK FOUNDATION GRANT FOR THE FIRST PHASE OF DEVELOPMENT OF MCHENRY MANSION

WHEREAS, the United California Bank Foundation administers a grant program of which funding is available in arts and culture development; and

WHEREAS, it is staff's recommendation that the City of Modesto apply for a grant by the United California Bank Foundation, in the amount of $100,000 to be used toward the first phase of development of McHenry Mansion.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that the submission of an application for United California Bank Foundation grant in the amount of $100,000 to be used toward the first phase of development of the McHenry Mansion, is hereby approved.

BE IT FURTHER RESOLVED that the execution of the application by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 1981, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-129

A RESOLUTION AUTHORIZING CITY MANAGER TO EXECUTE CONTRACT CHANGE ORDER ON CONSTRUCTION OF ELEVENTH STREET PARKING GARAGE

WHEREAS, the City of Modesto has contracted with the SMF Corporation to construct a downtown multi-level parking facility on 11th Street; and

WHEREAS, on January 27, 1981, the City Council authorized staff to negotiate with the parking garage contractor for the costs of reinstating items deleted from the original contract as follows:

Painting beams and columns - $12,650

Parking Equipment - Exit - $8,543

Parking Equipment - Entry - $10,650

and additional related items as follows:

An application of a graffiti-resistant coating on the ceiling beams on the fourth, third, second, and part of the first level for an additional $20,257.

An automatic gate on the exit side of the attendant booth in the amount of $1,391 to improve the reliability of the differential counters which, in turn control the "full" sign.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the City Manager to execute a contract change order reinstating and adding the items deleted from the original contract and listed above.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-130

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (SCENIC-OAKDALE NO. 2 ANNEXATION)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on January 13, 1981, duly adopted Resolution No. 81-25 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 223 be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, February 24, 1981, at the hour of 7:30 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the

Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 223 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 223 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 223, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 223, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

130/000-00160-01/15/79

SCENIC-OAKDALE NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 22 and the Northeast quarter of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the DRY CREEK PARK NO. 1 ADDITION (290), as per description filed April 16, 1972 as Instrument 19654, Stanislaus County Records;

1. thence along the existing City Limits and a Western line of said ADDITION (290), South 00° 45' 00" East, 136.13 feet, to the South line of said Section 22;

2. thence continuing along the existing City Limits and a Western line of said ADDITION (290) South 00° 36' 00" East 50.59 feet;

3. thence contunuing along the existing City LImits and a Northern line of said Addition (290), the following bearings and distances, South 69° 22' 00" West 141.26 feet;

4. thence South 68° 39' 00" West, 105.48 feet;

5. thence South 00° 36' 00" East, 21.09 feet;

6. thence South 82° 20' 00" West, 99.48 feet;

7. thence North 00° 36' 00" West, 20.00 feet;

8. thence South 82° 20' 00" West, 99.48 feet;

9. thence South 00° 36' 00" West, 7.80 feet;

10. thence North 72° 20' 00" West, 103.93 feet;

11. thence North 00° 36' 00" West 12.00 feet;

12. thence South 88° 34' 00" West, 99.20 feet;

13. thence South 00° 36' 00" East, 12.00 feet;

14. thence North 89° 40' 00" West, 98.71 feet;

15. thence South 80° 40' 00" West, 99.85 feet;

16. thence South 72° 51' 00" West, 102.96 feet;

17. thence South 75° 53' 00" West, 101.50 feet;

18. thence North 87° 18' 00" West, 98.86 feet;

19. thence South 85° 25' 00" West, 98.91 feet, to the Eastern line of the SCENIC-ENCINA ADDITION (315), as per description filed February 27, 1974 as Instrument 33322, Stanislaus County Records;

20. thence continuing along the existing City Limits and the Eastern line of said ADDITION (315), North 00° 36' 00" West, 146.33 feet, to the Southern line of the STRATHMORE ADDITION (226), as per description filed February 13, 1969, as Instrument 4972, Stanislaus County Records;

21. thence continuing along the existing City Limits and the Southern line of said ADDITION (226), North 80° 15' 19" East, 617.74 feet, to a Southwestern corner of the ROSE AVENUE SCHOOL ADDITION (176), as per description filed March 30, 1965 as Instrument 12390, Stanislaus County Records;

22. thence continuing along the existing City Limits and a Southern line of said ADDITION (176), North 80° 15' 19" East, 616.58 feet, to the point of beginning, containing 5.292 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on February 24, 1981, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Siefkin, seconded by Councilmember Elliott, and adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: February 24, 1981

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

Scenic-Oakdale No. 3 Addition

PROJECT NO. 80/05/01 - 80/07/02

MODESTO CITY COUNCIL
RESOLUTION NO. 81-131

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

WHEREAS, Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council, did, on January 20, 1981, adopt its Resolution No. 81-48, ordering the installation of certain improvements along certain streets in the City of Modesto, as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, the Council did by said resolution, set the 24th day of February, 1981, at 7:30 o'clock P.M., in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work, and

WHEREAS, the Superintendent of Streets has caused notices to be given as directed by said Resolution No. 81-48, and

WHEREAS, at the time set for hearing the protests and objections, if any, to the propsed work, the said Council proceeded to hear the same,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work as set forth in the notices which are attached hereto, and incorporated by reference herein, are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project as to the properties described in the attached notices in accordance with the provisions of Resolution No. 81-48 and Chapter 27, Part 3, of Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

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

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

c. Sidewalk along Sunrise Ave. at 1200 Sunrise Ave., Lot 7 of Block 1122 (Yucker & Moore)

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

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

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

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

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

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

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

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

NOTICE IS HEREBY GIVEN:

NAME Mike G. & Mary Jo Stavrakakis

ADDRESS 1332 Sunrise Avenue, Modesto, CA 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 18 and 19 of Block 1140 of Sunrise Homes as per map filed June 25, 1945 in Volume 14 of Maps, Page 36, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 031-1505-101)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

100 lineal feet of 6" vertical curb and 4' wide concrete sidewalk along the street frontage abutting Sunrise Avenue on the West side of Block 1140 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 24th day of February, 1981, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 21st day of January, 1981.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Karl E. Wellman

ADDRESS 190 Soxenwood Drive, Santa Maria, CA 93454

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 89 feet of the East 145 feet of the West 165 feet of Lot 28 of Mensinger Colony as per map filed May 18, 1909 in Volume 4 of Maps, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 031-1406-101)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

89 lineal feet of 6" vertical curb and 4' wide concrete sidewalk along the street frontage abutting Sunrise Avenue on the East side of Block 1139 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 24th day of February, 1981, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 21st day of January, 1981.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Robert D. Yucker & William H. Moore

ADDRESS 7 Seward Street, San Francisco, CA 94114

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 7 of Block 1122 of Sunrise Homes as per map filed June 25, 1945 in Volume 14 of Maps, Page 36, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 031-1740-101)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

124.80 lineal of 4' wide concrete sidewalk along the street frontage abutting Sunrise Avenue on the West side of Block 1122 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 24th day of February, 1981, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 21st day of January, 1981.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME William H. & Blanche Amend

ADDRESS c/o R.L. Hollen, 4936 Elrod Dr., Castro Valley, CA 94546

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 9 of Block 655 of Corson Tract as per map filed October 16, 1941 in Volume 14 of Maps, Page 19, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 112-0518-101)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

60 lineal feet of 6" vertical curb and 4' wide concrete sidewalk along the street frontage abutting Corson Avenue on the South side of Block 655 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 24th day of February, 19 81 in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 21st day of January, 1981.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Denny Brooks

ADDRESS 2125 Wylie Drive, Modesto, CA 95355

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 152 feet of Lot 6 of Block 651 of Fairmont Tract as per map filed December 27, 1911 in Volume 6 of Maps, Page 12, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 112-4508-101)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

132 lineal feet of 6" vertical curb and 4' wide concrete sidewalk along the street frontage abutting Corson Avenue on the North side of Block 651 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 24th day of February, 1981, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 21st day of January, 1981.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Jon Camp

ADDRESS 126 Corson Avenue, Modesto, CA 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 66 feet of the North 160 feet of Lot 3 of Block 651 of Fairmont Tract as per map filed December 27, 1911 in Volume 6 of Maps, Page 12, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 112-4504-101)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

66 lineal feet of 6" vertical curb and 4' concrete sidewalk along the street frontage abutting Corson Avenue on the North side of Block 651 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 24th day of February, 1981, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 21st day of January, 1981.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Jerry J. & Elvena D. Duff

ADDRESS 209 Corson Avenue, Modesto, CA 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 11 of Block 655 of Corson Tract as per map filed October 16, 1941 in Volume 14 of Maps, Page 19, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 112-0516-101)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

60 lineal feet of 6" vertical curb and 4' wide concrete sidewalk along the street frontage abutting Corson Avenue on the South side of Block 655 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 24th day of February, 1981, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 21st day of January, 1981.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME William H. & Hazel L. Heagerty

ADDRESS 1302 El Moro Drive, Campbell, CA 95008

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 61 feet of the North 155 feet of Lot 4 of Block 651 of Fairmont Tract as per map filed December 27, 1911 in Volume 15 of Maps, Page 12, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 112-4505-101)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

61 lineal feet of 6" vertical curb and 4' wide concrete sidewalk along the street frontage abutting Corson Avenue on the North side of Block 651 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 24th day of February, 1981, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 21st day of January, 1981.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME G.R. & Mary Kuykendall

ADDRESS 215 Corson Avenue, Modesto, CA 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 13 of Block 655 of Corson Tract as per map filed October 16, 1941 in Volume 14 of Maps, Page 19, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 112-0514-101)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

60 lineal feet of 6" vertical curb and 4' wide concrete sidewalk along the street frontage abutting Corson Avenue on the South side of Block 655 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 24th day of February, 1981, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 21st day of January, 1981.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Hazel B. Oaks

ADDRESS 1906 La Villa Rose Court, Modesto, CA 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 71 feet of the North 141 feet of Lot 4 of Block 651 of Fairmont Tract as per map filed December 27, 1911 in Volume 6, Page 12, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 112-4551-101)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

71 lineal feet of 6" vertical curb and 4' wide concrete sidewalk along the street frontage abutting Corson Avenue on the North side of Block 651 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 24th day of February, 1981, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 21st day of January, 1981.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 81-132

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (295).

WHEREAS, a verified application for an amendment to Section 9-3-9 of the Zoning Map was filed by Grand Prix Group on November 7, 1980, to reclassify from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D, the following described property:

All that certain real property as shown on the Map of Grand Prix Plaza, filed in Book 26 of Maps at Page 15, Stanislaus County Records; being a subdivision of Lot 4, of Block 12460 of Grand Prix Estates; being a portion of the Northeast quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, City of Modesto, County of Stanislaus, State of California; also including the West one half of Coffee Road adjacent to Grand Prix Plaza, the East one half of Maserati Drive adjacent to Grand Prix Plaza and the South one half of Grand Prix Drive adjacent to Grand Prix Plaza.

WHEREAS, after public hearing held on December 15, 1980, and January 19, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed rezoning is for a change in the form of ownership only of existing units.
2. The P-D zone and conditions of approval insure a degree of compatibility consonant with surronding properties.

WHEREAS, after a public hearing held on February 24, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Grand Prix Group for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2018-C.S. on the 24th day of February, 1981, reclassifying the above-described property from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D (295).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(295) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan and floor plans titled "No. 2, Grand Prix Plaza" as amended in red, stamped approved by the Planning Commission on January 19, 1981.

2. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

3. Drainage shall be provided as required by the Director of Public Works.

4. Trash bins shall be kept in masonary enclosures in accordance with the approved plan.

5. All utilities shall be underground and cable television service shall be stubbed into all units.

6. All signs shall comply with the sign requirements of the R-2 Zone.

7. Prior to sale of any condominiums, a subdivision map shall be recorded.

8. Prior to recordation of a final subdivision map, the developer shall obtain certification from the Chief Building Official that all construction conforms to all building and fire safety standards for condominiums established by the Chief Building Official.

9. Prior to recordation of a final subdivision map, the developer shall obtain certification from the Director of Parks and Recreation that the landscaping and irrigation system generally conforms to City standards and/or any previously approved plans.

10. Prior to recordation of a final subdivision map the developer shall submit evidence in a form satisfactory to the City Attorney, that there has been created a Homeowners' Association to guarantee common facility and private property improvement and maintenance in accordance with the approved plans.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (295):

> The entire conversion program shall be accomplished in one phase, to begin on or before August 1, 1983, and completion to be not later than August 1, 1984.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (295) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February, 19 81, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Dinkel
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-133

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 23-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (HORN CONSTRUCTION)

WHEREAS, on February 24, 1981, the City Council introduced Ordinance No. 2019 - C. S. giving approval to a project relating to an amendment to Section Map 23-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium High Density Residential Zone, R-3, to Professional Office Zone, P-O, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 23-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium High Density Residential Zone, R-3, to Professional Office Zone, P-O.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-134

A RESOLUTION ACCEPTING THE BIDSOF M & S ELECTRIC AND VALLEY ELECTRIC AND ISSUING TWO PURCHASE ORDERS FOR HIGH PRESSURE LIGHT BALLASTS AND LUMINAIRES

WHEREAS, Resolution No. 81-32, adopted by the Council of the City of Modesto on January 20, 1981 , approved the plans and specifications for the high pressure light ballasts and luminaires and authorized the calling for bids; and

WHEREAS, the bids received for the high pressure light ballasts and luminaires were opened at 2:00 p.m. on February 10, 1981, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bidsof M & S Electrical and Valley Electric for an estimated cost of $10,225.38 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of M & S Electrical and Valley Electric for an estimated cost of $10,225.38 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February , 19 81, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Kullijian , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-135

A RESOLUTION WAIVING FORMAL BID PROCEDURES FOR THE DURATION OF THE 1980/81 FISCAL YEAR AND AUTHORIZING THE PURCHASE OF GAS AND DIESEL FROM THE SUPPLIERS OF RECORD OR ANY OTHER SOURCE AVAILABLE IN THE EVENT OF RESTRICTED SUPPLIES

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the duration of the 1980/81 Fiscal Year for the purchase of gas and diesel, is hereby waived.

BE IT FURTHER RESOLVED that authorization of the purchase of gas and diesel for the 1980/81 Fiscal Year from the suppliers of record or any other source available in the event of restricted supplies is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-136

A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE REPIPING OF CARVER-SCOTT LIFT STATION AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of the repiping of the Carver-Scott lift station has been completed by Wayne Fregien

in accordance with the contract agreement dated October 23, 1980.

NOW, THEREFORE, BE IT RESOLVED that the construction of the repiping of Carver-Scott lift station be accepted from said contractor, Wayne Fregien;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $27,148 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: **Councilmembers:** Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-137

A RESOLUTION ADOPTING THE "HAZARDOUS MATERIALS SPILLS AND INCIDENTS JOINT CONTINGENCY PLAN" OF STANISLAUS COUNTY AND CITIES WITHIN THE COUNTY

WHEREAS, the Stanislaus County Emergency Services Coordinator Fries, with the cooperation of safety and medical services from cities, districts, and private medical/ambulance services within Stanislaus County, has recently completed a hazardous materials incident contingency plan which is broad enough to cover the variety of incidents possible in our area.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that it does hereby adopt the "Hazardous Materials Spills and Incidents Joint Contingency Plan" of Stanislaus County and cities within the County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-138

A RESOLUTION APPROVING A NEW GRANT CONTRACT WITH CALTRANS FOR $11,250 FOR THE PLANS, SPECIFICATIONS AND OTHER ENGINEERING WORK ON THE $1.3 MILLION DOWNTOWN TRANSPORTATION CENTER PROJECT, AND SUPERSEDING RESOLUTION NO. 80-1279

WHEREAS, on November 20, 1979, the City Council authorized the filing of a grant application with Caltrans requesting $11,250 (25%) for the plans, specifications and other engineering work on the $1.3 million Downtown Transportation Center project; and

WHEREAS, on December 16, 1980, the City Council approved an agreement and accepted a planning grant for $11,250 from Caltrans to cover 25% of the estimated $45,000 cost of preparing plans, specifications and cost estimates of the City's Downtown Transportation Center project which grant was transmitted to Caltrans on December 18, 1980; and

WHEREAS, the agreement approved by City Council on December 16, 1980, was never executed by Caltrans, and the Caltrans' Accounting Division ordered a new agreement making certain changes; and

WHEREAS, the City Attorney has reviewed the new agreement and finds it acceptable to the City.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that the new grant contract with Caltrans for $11,250 for the plans, specifications and other engineering work on the $1.3 million Downtown Transportation Center project, and superseding Resolution No. 80-1279, be and is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 139

A RESOLUTION OF INTENTION TO VACATE AND ABANDON THE 10-FOOT ALLEY IN BLOCK 603 LOCATED SOUTH OF EAST MORRIS AVENUE, WEST OF JOHN MUIR COURT IN THE CITY OF MODESTO.

WHEREAS, the City Council has received and referred to the Planning Commission a request by the Parks and Recreation Department to vacate and abandon the 10-foot alley in Block 603 located south of East Morris Avenue, west of John Muir Court in the City of Modesto, and

WHEREAS, a title report was submitted with the abandonment request which vests fee title to the alley right-of-way in the City of Modesto which owns the adjacent park site, and

WHEREAS, the proposed alley abandonment has been referred to affected city departments and local utility companies, and no objection to the abandonment has been received, provided a public utility easement is retained to serve existing Modesto Irrigation District facilities in the alley right-of-way, and

WHEREAS, the Planning Commission, by Resolution No. 81-29, adopted on January 19, 1981, found and determined as follows:

1. That the alley has not been widened to a standard width or improved and it "dead ends" into a city cemetery which precludes any extension.

2. That the alley right-of-way has been landscaped with turf and trees in conjunction with adjacent T. B. Scott Park.

3. That the alley is not needed to serve present or future traffic or service needs in the area.

4. That the retention of the entire length and width of the alley is necessary to serve existing utility lines in the alley right-of-way,

and

WHEREAS, the Planning Commission, by said Resolution No. 81-29 adopted on January 19, 1981, recommended to the Council that the 10-foot alley in Block 603 located south of East Morris Avenue, west of John Muir Court, in the City of Modesto, be vacated and abandoned, subject to the following condition:

1. That the entire length and width of the 10-foot alley be retained as a public utility easement,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The Council of the City of Modesto hereby declares its intention to vacate and abandon the 10-foot alley in Block 603 located south of East Morris Avenue, west of John Muir Court, in the City of Modesto, County of Stanislaus, State of California, as shown on the drawing entitled "Vacate & Abandon the 10-foot Alley Adjacent to T. B. Scott Park in Block 603 - LD81-C" dated February 9, 1981, and on file in the office of the City Clerk, and as described on Exhibit "A" attached hereto, and by this reference made a part hereof as though set forth in full herein, subject to the condition hereinabove set forth.

SECTION 2. The Council of the City of Modesto hereby elects to proceed with the proposed vacation and abandonment referred to above, pursuant to the provisions of Division 9, Part 3, Chapter 3, of the Streets and Highways Code.

SECTION 3. The vacation and abandonment of the 10-foot alley in Block 603 located south of East Morris Avenue, West of John Muir Court, in the City of Modesto, shall be subject to the following condition:

(a) That the entire length and width of the 10-foot alley be retained as a public utility easement.

SECTION 4. Notice is hereby given that Tuesday, March 24, 1981, at the hour of 7:30 o'clock p.m. in the Council Chambers, 801 11th Street, Modesto, California, is hereby fixed as the time and place for hearing all persons interested in or objecting to the proposed vacation and abandonment.

SECTION 5. The City Clerk is hereby directed to cause to be published in full in The Modesto Bee, the official newspaper of the City of Modesto, the date, place and hour of said hearing once each week for two (2) successive weeks, before the date set for said hearing.

SECTION 6. The Director of Public Works is hereby directed to cause notices of the proposed alley vacation to be posted conspicuously along the line of the alley proposed to be vacated at least fourteen (14) days before the date set for the hearing. At least three (3) such notices for the alley proposed to be vacated and abandoned shall be posted. Such notices shall state the passage of this Resolution of Intention and the time and place for hearing, and shall describe the alley right-of-way proposed to be abandoned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Karl Campbell
Public Works Department

VACATE AND ABANDON THE 10-FOOT ALLEY ADJACENT TO T.B. SCOTT PARK IN BLOCK 603

All that real property in the State of California, County of Stanislaus, City of Modesto, being a portion of the Northeast quarter of Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Southwestern corner of Lot 7 in Block 606 of the JOHN MUIR TRACT, as per map filed April 15, 1938 in Volume 11 of Maps, Page 41, Stanislaus County Records, said corner being the Southeastern corner of Block 603 of the CITY OF MODESTO, as per map filed March 18, 1920, in Volume 10 of Maps, Stanislaus County Records; thence along the Southern line of said Block 603, South 89° 55' West, 10.00 feet, to the Southeastern corner of Lot 12, in said Block 603 of the City of Modesto; thence along the Eastern line of Lots 12, 11, 10, 9,8,7,6,5,4,3,2 and 1 in said Block 603 of the City of Modesto, North 00° 57' West, 298.70 feet, to the Northeastern corner of said Lot 1 in Block 603, said corner being on the Southern line of 60.00 foot Morris Avenue East; thence along said Southern line of Morris Avenue East, East, 10.00 feet, to the Northwestern corner of Lot 5 in Block 606 of said John Muir Tract; thence along the Western line of Lots 5, 6 and 7 in said Block 606 of the John Muir Tract, South 00° 57' East, 298.69 feet, to the point of beginning.

Reserving all of the above as a Public Utilities Easement.

Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 140

A RESOLUTION OF INTENTION TO VACATE AND ABANDON THE 6-FOOT PUBLIC WALKWAY IN BLOCKS 6113 AND 6114 BETWEEN GLENWOOD DRIVE AND PEARL STREET IN THE CITY OF MODESTO.

WHEREAS, the City Council has received and referred to the Planning Commission a request by adjacent property owners to vacate and abandon the 6-foot public walkway in Blocks 6113 and 6114 between Glenwood Drive and Pearl Street, in the City of Modesto, and

WHEREAS, a title report was submitted with the abandonment request which vests fee title to the walkway right-of-way in adjacent land owners who are proponents of the abandonment, and

WHEREAS, the proposed walkway abandonment has been referred to affected city departments and local utility companies, and no objection to the abandonment has been received, and

WHEREAS, the Planning Commission by Resolution No. 81-28 adopted on January 19, 1981, found and determined as follows:

1. That the walkway has created a nuisance for adjacent property owners due to vandalism, debris, and property damage.

2. That the walkway is not necessary to serve present or future pedestrian access needs in the area.

3. That retention of the entire length and width of the 6-foot walkway is necessary to serve existing utility lines in walkway right-of-way, and

WHEREAS, the Planning Commission, by said Resolution No. 81-28 adopted on January 19, 1981, recommended to the Council that the 6-foot public walkway in Blocks 6113 and 6114 between Glenwood Drive and Pearl Street, in the City of Modesto, be vacated and abandoned, subject to the following conditions:

1, That within ninety (90) days following final abandonment by the City Council the recipients of the abandoned area shall construct fencing across the Glenwood Drive and Pearl Street openings of the walkway at 15-foot building setback line, and shall relocate existing fences to incorporate the abandoned area into their adjacent yards.

2. That prior to final abandonment action by the City Council the recipients of the abandoned area shall agree in writing to comply with all conditions of the abandonment imposed by the Council. Said agreement shall be in a form approved by the City Attorney.

3. That the entire width and length of the 6-foot walkway be retained as a public utility easement,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The Council of the City of Modesto hereby declares its intention to vacate and abandon the 6-foot public walkway in Blocks 6113 and 6114 between Glenwoo Drive and Pearl Street, in the City of Modesto, County of Stanislaus, State of California, as shown on the drawing entitled "Vacate & Abandon 6' Walkways bet. Glenwood Drive and Pearl Street - LD81-B" dated Feb. 6, 1981, and on file in the office of the City Clerk, and described on Exhibit "A" attached hereto, and by this reference made a part hereof as though set forth in full herein, subject to the conditions hereinabove set forth.

SECTION 2. The Council of the City of Modesto hereby elects to proceed with the proposed vacation and abandonment referred to above, pursuant to the provisions of Division 9, Part 3, Chapter 3, of the Streets and Highways Code.

SECTION 3. The vacation and abandonment of the 6-foot public walkway in Blocks 6113 and 6114 between Glenwood Drive and Pearl Street, in the City of Modesto, shall be subject to the following conditions:

(a) That within ninety (90) days following final abandonment by the City Council the recipients of the abandoned area shall construct fencing across the Glenwood Drive and Pearl Street openings of the walkway at 15-foot building setback line, and shall relocate existing fences to incorporate the abandoned area into their adjacent yards.

(b) That prior to final abandonment action by the City Council the recipients of the abandoned area shall agree in writing to comply with all conditions of the abandonment imposed by the Council. Said agreement shall be in a form approved by the City Attorney.

(c) That the entire width and length of the 6-foot walkway be retained as a public utility easement.

SECTION 4. Notice is hereby given that Tuesday, March 24, 1981, at the hour of 7:30 o'clock p.m. in the Council Chambers, 801 11th Street, Modesto, California, is hereby fixed as the time and place for hearing all persons interested in or objecting to the proposed vacation and abandonment.

SECTION 5. The City Clerk is hereby directed to cause to be published in full in The Modesto Bee, the official newspaper of the City of Modesto, the date, place and hour of said hearing once each week for two (2) successive weeks, before the date set for said hearing.

SECTION 6. The Director of Public Works is hereby directed to cause notices of the proposed 6-foot walkway vacation to be posted conspicuously along the line of the 6-foot walkway proposed to be vacated at least fourteen (14) days before the date set for the hearing. At least three (3) such notices for the 6-foot walkway proposed to be vacated and abandoned shall be posted. Such notices shall state the passage of this Resolution of Intention and the time and place for hearing, and shall describe the 6-foot walkway proposed to be abandoned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Leo Campbell
Public Works Department

VACATE AND ABANDON 6-FOOT WALKWAYS BETWEEN GLENWOOD DRIVE AND PEARL STREET

All that real property in the State of California, County of Stanislaus, City of Modesto, being a portion of the Northeast quarter of Section 19, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

PARCEL 6113-1

Beginning at the Southeastern corner of Lot 10 in Block 6113 of the FREMONT PARK Subdivision, as per map filed December 14, 1954 in Volume 18 of Maps, Page 13, Stanislaus County Records; thence along the Eastern line of said Lot 10, North 00° 54' 40" East, 116.06 feet, to the Northeastern corner of Lot 10; thence along the Easterly prolongation of the Northern line of Lot 10, South 89° 05' 20" East, 6.00 feet, to the Northwestern corner of Lot 1 in Block 6114 of said Fremont Park; thence along the Western line of said Lot 1, South 00° 54' 40" West, 116.06 feet, to the Southwestern corner of Lot 1, said corner being on the Northern line of 60.00 foot Pearl Street; thence along said Northern line of Pearl Street, North 89° 05' 20" West, 6.00 feet, to the point of beginning.

Reserving all of the above as a Public Utilities Easement

PARCEL 6113-2

Beginning at the Southeastern corner of Lot 11 in Block 6113 of the GLENWOOD PARK Subdivision, as per map filed April 28, 1955 in Volume 18 of Maps, Page 22, Stanislaus County Records; thence along the Eastern line of said Lot 11, North 00° 54' 40" East, 91.86 feet, to the Northeastern corner of Lot 11, said corner being on the Southern line of 60.00 foot Glenwood Drive; thence along said Southern line of Glenwood Drive, South 89° 05' 20" East, 6.00 feet, to the Northwestern corner of Lot 21 in Block 6114 of said Glenwood Park; thence along the Western line of said Lot 21, South 00° 54; 40" West, 91.86 feet, to the Southwestern corner of Lot 21; thence along the Westerly prolongation of the Southern line of Lot 21, North 89° 05' 20" West, 6.00 feet, to the point of beginning.

Reserving all of the above as a Public Utilities Easement.

Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 81-141

A RESOLUTION SETTING TIME AND PLACE FOR HEARING TO CONSIDER ADOPTION OF A ZONING AND DEVELOPMENT PLAN FOR THE BRET HARTE AND PORTION OF THE FAIRVIEW NEIGHBORHOODS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 10, 1981 , at 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** adoption of a zoning and development plan for the Bret Harte and portion of the Fairview neighborhoods.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** February, 19 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Kullijian, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-142

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN APPLICATION FOR FUNDS UNDER THE WELLS FARGO GAMEFIELD PROGRAM FOR AN OUTDOOR WALKING FITNESS TRAIL FOR SENIORS

BE IT RESOLVED by the Council of the City of Modesto that the submission of an application for $3,000 in funds under the Wells Fargo Gamefield Program, to be used toward the purchase of a Conversation Pace Gamefield, an outdoor walking fitness trail for seniors be, and hereby is, approved.

BE IT FURTHER RESOLVED that the execution of the application by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-143

A RESOLUTION APPOINTING MEMBER OF THE NEIGHBORHOOD ADVISORY COMMITTEE #2 (EVELYN RANDOLPH)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to the Neighborhood Advisory Committee #2 for the respective term as indicated:

Evelyn Randolph
315 High Street
Modesto, Ca. 95354
Term to expire 10/23/85

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Neighborhood Advisory Committee #2 and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-144

A RESOLUTION AFFIRMING THE INTENTION OF THE CITY COUNCIL TO HOLD PUBLIC HEARINGS REGARDING DEVELOPMENT OF DRY CREEK PARK.

WHEREAS, the City Council desires to affirm its intentions regarding citizen review of plans for the development of Dry Creek Park,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby affirm its intention to hold public hearings for citizen review of the Master Plan for Dry Creek Park before development of any proposed uses may occur. These hearings would be in addition to the regular budget hearings which are required before funds are allocated to capital improvement projects.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-145

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 29-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (PLANNING COMMISSION INITIATED)

WHEREAS, on March 3, 1981, the City Council introduced Ordinance No. 2020 - C. S. giving approval to a project relating to an amendment to Section Map 29-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Neighborhood Commercial Zone, C-1, to General Commercial Zone, C-2, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 24-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Neighborhood Commercial Zone, C-1, to General Commercial Zone, C-2.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ROGER PICQUET, Deputy City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-146

A RESOLUTION AMENDING THE "POLICY FOR FAMILY AMUSEMENT MACHINE CENTERS."

WHEREAS, the City Council at its meeting of January 19, 1976, considered a recommendation of the Planning Commission that family amusement machine centers be permitted uses in the C-2, H-1 and P-D zones and that a policy be adopted to assist the Board of Zoning Adjustment, the Planning Commission and the City Council in considering applications for conditional use permits and P-D zones for said family amusement machine centers, and

WHEREAS, after considering said matter, the City Council amended the Municipal Code to permit family amusement machine centers in the C-2, H-1 and P-D zones and adopted a "Policy for Family Amusement Machine Centers" as recommended by the Planning Commission, and

WHEREAS, at its meetings on September 2, 1980, and March 3, 1981, respectively, the City Council considered further recommendations of the Planning Commission relating to amendments to said "Policy for Family Amusement Machine Centers", and

WHEREAS, after considering said recommendations, the City Council found and determined that it was desirable to amend said "Policy for Family Amusement Machine Centers" as recommended by the Planning Commission,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby amends the previously adopted "Policy for Family Amusement Machine Centers" to read as follows:

POLICY FOR FAMILY AMUSEMENT MACHINE CENTERS

OBJECTIVE

The objective of this policy is to permit the establishment of family amusement machin centers in such locations that would help satisfy the recreation needs of the community and at the same time not infringe upon the right of surrounding property owners.

SPECIFICATIONS

It is the policy of the City of Modesto to permit the establishment of family amusement machine centers meeting these mandatory specifications:

1. Location within C-2 or H-1 Zones, or P-D Zones permitting general commercial (C-2 Zone) uses.

2. Approval on a site in a C-2 or H-1 Zone only after obtaining a conditional use permi from the Board of Zoning Adjustment.

3. Approval on a site in a P-D Zone that permits general commercial (C-2 Zone) uses only if specifically set forth as a permitted use with conditions or after amendment of said P-D Zone to specifically set forth as a permitted use with conditions.

4. Consideration be given to the proximity of elementary, senior elementary, junior high and high schools.

5. Family amusement machine centers shall be confined wholly within a structure.

POSSIBLE CONDITIONS OF APPROVAL

Upon review of a conditional use permit application by the Board of Zoning Adjustment for a family amusement machine center in a C-2 or H-1 Zone or by the Planning Commission and the City Council for such a center in a P-D Zone, the following conditions may be placed upon the applicant subject to a case-by-case review:

1. Limitation on the hours of operation may be imposed; suggested limits - 9 a. m. to 10 p. m.

2. Clear vision from the front windows into the family amusement machine center must be maintained if operated as an independent use, not in conjunction with other commercial uses

3. The family amusement machine center must be well lighted during operating hours.

4. The family amusement machine center may be inspected by the Police Department at any time.

5. The conditional use permit or P-D Zone, once granted, may be reviewed at any time and revoked or removed by rezoning of a P-D Zone, for any reasons as set forth in Section 10-2.2401 of the Modesto Municipal Code.

6. If operated in conjunction with another business, the type of amusement machines allowed and the area used for amusement machines may be restricted or otherwise regulated.

7. Any other condition which is found necessary to make the family amusement machine center compatible with surrounding properties.

BE IT FURTHER RESOLVED that Modesto City Council Resolution No. 76-75 adopted on January 19, 1976, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By CY
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-147

A RESOLUTION DENYING THE APPEAL OF DENNIS E. WILSON OF MID VALLEY ENGINEERING, FILED ON BEHALF OF R. T. HUGHES CO. INC., TO THE FINDING BY THE ENVIRONMENTAL ASSESSMENT COMMITTEE OF THE CITY OF MODESTO THAT AN ENVIRONMENTAL IMPACT REPORT IS NECESSARY ON R. T. HUGHES CO. INC.'S APPLICATION DATED JANUARY 20, 1981, TO REZONE A PORTION OF PLANNED DEVELOPMENT ZONE, P-D(166) TO A NEW PLANNED DEVELOPMENT ZONE, AND AFFIRMING THE DECISION OF THE ENVIRONMENTAL ASSESSMENT COMMITTEE REQUIRING AN ENVIRONMENTAL IMPACT REPORT.

WHEREAS, an application dated January 20, 1981, to rezone a portion of Planned Development Zone, P-D(166), to a new Planned Development Zone, was filed with the Planning Commission by R. T. Hughes Co., Inc., and

WHEREAS, said application was referred to the Environmental Assessment Committee of the City of Modesto, which Committee found and determined that an Environmental Impact Report was required on the requested rezoning of a portion of Planned Development Zone, P-D(166) to a new Planned Development Zone, because the project may have a significant effect on the environment. Said determination was based on the findings by the Environmental Assessment Committee that:

(1) The project involves a substantial change or alteration from planned land use as set forth in the General Plan or adopted zoning and development policy.

(2) The project has impacts which are individually limited, but cumulatively considerable,

and

WHEREAS, on February 6, 1981, Dennis E. Wilson of Mid Valley Engineering, on behalf of R. T. Hughes Co., Inc., filed an appeal to the decision of the Environmental Assessment Committee with the City Clerk of the City of Modesto, which appeal was set for a public hearing by the City Council on March 3, 1981, at 4:00 o'clock p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, at which time the Council found and determined that said appeal to the finding by the Environmental Assessment Committee that an Environmental Impact Report is required on said application to rezone a portion of Planned Development Zone, P-D(166) to a new Planned Development Zone should be denied, and that an Environmental Impact Report is required to be filed for the proposed project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby denies the appeal of Dennis E. Wilson of Mid Valley Engineering, filed on behalf of R. T. Hughes, Co., Inc., to the decision of the Environmental Assessment Committee of the City of Modesto which found that an Environmental Impact Report was necessary on R. T. Hughes Co., Inc.'s application dated January 20, 1981, to rezone a portion of Planned Development Zone, P-D(166) to a new Planned Development Zone.

BE IT FURTHER RESOLVED that an Environmental Impact Report is required on the application of R. T. Hughes Co., Inc. to rezone a portion of Planned Development Zone, P-D(166) to a new Planned Development Zone because the project may have a significant effect on the environment for the reasons determined by the Environmental Assessment Committee as set forth above.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: Kullijian

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By CY
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-148

A RESOLUTION REJECTING ALL BIDS FOR FURNISHING PLASTIC CAN LINERS, OPENED IN THE OFFICE OF THE CITY CLERK ON DECEMBER 23, 1980, AT 2:30 P.M., AND AUTHORIZING NEW CALL FOR BIDS

WHEREAS, Resolution No. 80-1217 adopted by the Council of the City of Modesto on December 2, 1980, approved the plans and specifications for the purchase of plastic can liners, and authorized the call for bids; and

WHEREAS, the bids received for the furnishing of plastic can liners were opened at 2:30 p.m. on December 23, 1980, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, due to the fact that none of the proposals received meet City specifications, it is the recommendation of staff that the bids received for plastic can liners be rejected and Council authorize a new call for bids.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all bids received for the furnishing of plastic can liners, and opened in the Office of the City Clerk on December 23, 1980, are hereby rejected.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that a new call for bids for furnishing plastic can liners, to be opened March 24, 1981, at 2:00 p.m. is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March, 1981, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: _____
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-149

A RESOLUTION ACCEPTING THE BID OF STORER TRANSPORTATION FOR THE DIAL-A-RIDE TRANSIT SERVICE

WHEREAS, Resolution No. 81-36, adopted by the Council of the City of Modesto on January 20, 1981, approved the plans and specifications for the Dial-A-Ride transit service and authorized the calling for bids; and

WHEREAS, the bids received for the Dial-A-Ride transit service were opened at 2:30 p.m. on February 4, 1981, and later tabulated by the Director of Traffic Parking and/for the consideration of the Council; and

WHEREAS, the Director of Traffic Parking and/ has recommended that the bid of Storer Transportation at an estimated cost of $466,400/year be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Storer Transportation at an estimated cost of $466,400/year be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-150

A RESOLUTION ACCEPTING THE BID OF GEORGE REED, INC. FOR CONSTRUCTION OF BEYER COMMUNITY PARK - PHASE I

WHEREAS, Resolution No. 81-33 , adopted by the Council of the City of Modesto on January 20, 1981 , approved the plans and specifications for the construction of Beyer Community Park - Phase I and authorized the calling for bids; and

WHEREAS, the bids received for the construction of Beyer Community Park - Phase I were opened at 11:00 a.m. on February 24, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of George Reed, Inc. in the amount of $509,030 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of George Reed, Inc. in the amount of $509,030 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March , 1981 , by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-151

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF CAROLE L. HILL FROM THE NEIGHBORHOOD ADVISORY COMMITTEE - TARGET AREA #2,EFFECTIVE MARCH 3, 1981

WHEREAS, Carole L. Hill was appointed a member of the Neighborhood Advisory Committee - Target Area #2, on February 13, 1978; and

WHEREAS, Carole L. Hill has tendered her resignation from the Neighborhood Advisory Committee - Target Area #2, effective March 3, 1981; and

WHEREAS, Carole L. Hill has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED that the resignation of Carole L. Hill from the Neighborhood Advisory Committee - Target Area #2 be, and hereby is accepted with regret.

BE IT FURTHER RESOLVED that the Council of the City of Modesto, on its own behalf, and on behalf of the citizens of this City, hereby expresses its sincere appreciation to Carole L. Hill for her outstanding service to the community.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March, 1981, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST:
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-152

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY ROBERT CARDOZA TO A PLANNING COMMISSION DECISION REGARDING REZONING FROM R-2 TO P-D FOR AN APARTMENT COMPLEX ON SUNNYSIDE SOUTH OF LUCERN

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 24, 1981 , at 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Robert Cardoza to a Planning Commission decision regarding rezoning from R-2 to P-D for an apartment complex on Sunnyside south of Lucern.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** March, 19 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-153

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LOUIS, JOHN AND FRED VARNI FOR THE TRADE OF THE CITY'S OLD CORPORATION YARD PROPERTY TO THE VARNI'S IN EXCHANGE FOR THE SOUTH HALF OF BLOCK 437

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Louis, John and Fred Varni **for** the trade of the City's old corporation yard property to the Varni's in exchange for the south half of Block 437 **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** March, 19 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-154

A RESOLUTION ACCEPTING IMPROVEMENTS IN CHENAULT ESTATES SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, John H. and Creeobell Chenault , subdividers of Chenault Estates Subdivision , have filed subdivision bonds for faithful performance and labor and materials in the amount of $ 10,700 and $ 5,350 respectively to guarantee improvements in Chenault Estates Subdivision ; and

WHEREAS, the Director of Public Works in a memorandum dated February 19, 1981, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the subdivision bonds upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Chenault Estates Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the subdivision bond for faithful performance in the amount of $ 10,700 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the subdivision bond for labor and materials in the amount of $ 5,350 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March , 1981 by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-155

RESOLUTION AUTHORIZING PARTIAL PAYMENT OF $10,000 TO PHILIP GRANT MARTIN FOR WORK COMPLETED ON THE CONTRACT TO STUDY ALTERNATIVES FOR IMPROVEMENTS TO THE CITY HALL ANNEX

WHEREAS, the study was approved by Council on November 12, 1980; and

WHEREAS, Mr. Martin has nearly completed the study and would like to receive a partial payment on the $12,000 contract.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that partial payment of $10,000 to Philip Grant Martin for work completed on the contract to study alternatives for improvements to the City Hall Annex is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-156

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LLOYDS OF LONDON FOR AIRPORT PUBLIC LIABILITY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Lloyds of London for airport public liability in the amount of $7,200.00, effective March 1, 1981, **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** March, 1981, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-157

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HAMILTON/MERIDIAN INSURANCE AGENCY FOR PUBLIC LIABILITY INSURANCE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Hamilton/Meridian Insurance Agency **for** public liability insurance at a cost of $123,457

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** March, 19 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-158

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON REQUEST BY ECOLOGY ACTION EDUCATIONAL INSTITUTE TO MODIFY THEIR LIMITED LICENSE TO COLLECT SALVAGEABLE WASTE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 17, 1981, at 4:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of a request by Ecology Action Educational Institute to modify their limited license to collect salvageable waste.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 159

A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS PROPERTY.

WHEREAS, the City Manager is authorized by Charter Section 801 to sell surplus personal property of the City of Modesto with the approval of the City Council, and

WHEREAS, the City has several surplus items of personal property that could best be sold on a sealed bid basis, which items are as set forth on Exhibit "A" attached hereto, and by this reference made a part hereof as though set forth in full herein, and

WHEREAS, said property has become surplus to the City's needs by reason of replacement, obsolescence and expiration,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The City Manager is hereby authorized and directed to sell on a sealed bid basis to the highest bidder, those items of personal property set forth on Exhibit "A" referred to above, which are hereby found to be surplus.

SECTION 2. The sale shall be conducted by the City Manager or by such person as he may select for this purpose. If said items of property cannot be sold on a sealed bid basis as provided for above, they shall be disposed of in such manner as the City Manager deems to be in the best interest of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March, 1981, by

Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CITY OF MODESTO SURPLUS PROPERTY LISTING

Garden Refuse Dump Trucks

Equipment No.	Description
40207	1976 Dodge D-600
40215	1975 Ford F-600
40222	1975 IHC 1600
40224	1976 IHC 1600
40225	1975 IHC 1600
40235	1975 IHC 1600
40236	1975 IHC 1600
40254	1974 Ford F-600

Public Works Pool Equipment

Equipment No.	Description
10074	1975 AMC Gremlin Sedan (wrecked)
70001	1973 Jacobsen 76" triplex mower
70020	1976 Jacobsen 76" triplex mower
70022	1956 Seaman Pulvi-mixer
70050	1976 Jacobsen 76" triplex mower

Police Patrol Cars - Dodge St. Regis

Equipment No.	Equipment No.	Equipment No.
17902	17911	17920
17903	17912	17921
17904	17913	17922
17905	17914	17923
17906	17915	17924 (wrecked)
17907	17916	17927
17908	17917	17928
17909	17918	17729
17910	17919	

Miscellaneous Property

Quantity	Description	Department
50 each	Wood pallets	Finance/Central Stores
1 each	Motorola Transmitter/Receiver	Public Works
1 each	National Cash Register	Police
39 boxes	Dog tags	Finance

Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 81-160

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO CITY FIREFIGHTERS ASSOCIATION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the Modesto City Firefighters Association regarding pregnancy benefits for spouses and dependents of employees of the City represented by the Firefighters Association

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** March, **19**81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-161

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTIONS 10-2.3507 AND 10-2.3510 OF THE ZONING REGULATIONS PERTAINING TO SERVICE STATION MOTOR FUEL PRICE SIGNS

WHEREAS, the Modesto City Planning Commission held a public hearing on February 17, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Sections 10-2.3507 and 10-2.3510 of the Zoning Regulations pertaining to service station motor fuel price signs;

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-60 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Sections 10-2.3507 and 10-2.3510 / of the Zoning Map be set for March 24, 1981, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-162

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 31-3-9 OF THE ZONING MAP (JOAQUIN CONSTRUCTION)

WHEREAS, the Modesto City Planning Commission held a public hearing on February 17, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 31-3-9 of the Zoning Map to rezone from R-1 to P-D(297), property located on the northeast corner of Carpenter Road and Houser Lane to allow a single-family small lot garden home subdivision

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-55 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 31-3-9 of the Zoning Map be set for March 24, 1981, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

ALL that portion of the Southwest Quarter of Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the Southeast corner of Parcel B as shown on the map recorded in Book 27 of Parcel Maps at Page 22, Stanislaus County Records; thence North 0°51' West on the east line of Parcel B 1033.68 feet to the northeast corner of Parcel B; thence South 89°55' West on the north line of said Parcel B 363.00 feet to the northwest corner of Parcel B; thence continuing South 89°55' West, 260.01 feet to the East line of present 90 foot wide Carpenter Road; thence South 0°51' East on the east line of said Carpenter Road 1020.32 feet to the beginning of a curve concave to the northeast having a radius of 15.00 feet and a central angle of 89°22'10"; thence southeasterly on the arc of said curve 23.40 feet to a point 30.00 feet north of the present centerline of Houser Lane; thence North 89°46'50" East 30.00 feet north of and parallel with the centerline of Houser Lane 245.16 feet to the southwest corner of said Parcel B; thence continuing North 89°46'50" East on the north line of said Houser Lane 363 feet to the point of beginning.

Including also the North one-half of Houser Lane and the East 70.00 feet of Carpenter Road immediately adjacent to the above described property.

SCHEDULE "A"

JOAQUIN CONSTRUCTION

MODESTO CITY COUNCIL
RESOLUTION NO. 81-163

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 8-4-9 OF THE ZONING MAP (WHITMORE PLAZA ASSOCIATES)

WHEREAS, the Modesto City Planning Commission held a public hearing on February 17, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 8-4-9 of the Zoning Map to rezone from R-1 to P-D(299) property located on the north side of Whitmore Avenue west of Crows Landing Road to allow a combination garden home and zero lot line patio home subdivision the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-57 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 8-4-9 of the Zoning Map be set for April 7, 1981, at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Being a subdivision of Parcels A and B as shown on the map filed in Book 5 of Parcel Maps, page 83, Stanislaus County Records, lying in the Southwest quarter of Section 8, Township 4 South, Range 9 East, Mount Diablo Base and Meridian.

Including also all of Whitmore Avenue located between the above described property and the South Section line of said Section 8.

SCHEDULE "A"

WHITMORE PLAZA ASSO.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-164

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO P-D(127) - CALVIN D. HENNE

WHEREAS, the Modesto City Planning Commission held a public hearing on February 17, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to P-D(127) located at the northeast corner of Oakdale Road and East Orangeburg, to allow a family amusement machine center;

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-51 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to P-D(127) of the Zoning Map be set for April 7, 1981, at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-165

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 7-4-9 OF THE ZONING MAP (MICHAEL DERUOSI AND GARY HANSEN)

WHEREAS, the Modesto City Planning Commission held a public hearing on February 17, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 7-4-9 of the Zoning Map to rezone from R-1 to R-2 property located on the south side of W. Hatch Road west of Dallas

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-54 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section of the Zoning Map be set for March 24, 1981, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

The north 305.00 feet of the following described property:

All that portion of the East half of Section 7, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Commencing at a point on the quarter section line, extending East and West through said Section 7, which point bears North 89° 33' West, 483.12 feet from the Southeast corner of the Northeast quarter of Section 7 to the true point of beginning of this description; thence North 0° 11' East 1,397.61 feet to the south line of 90.00 foot wide Hatch Road; thence along said south line South 88° 10' 25" West 469.10 feet; thence South 0° 11' West 1,386.18 feet to the north line of 50.00 foot wide T.I.D. Lateral No. 1; thence along said Lateral South 89° 33' East 463.65 feet; thence leaving said north line North 0° 11' East 6.80 feet to the true point of beginning.

Including also all of the south one-half of above mentioned Hatch Road immediately adjacent to the above described property.

SCHEDULE "A"

MICHAEL DERUOSI &
GARY HANSEN

MODESTO CITY COUNCIL
RESOLUTION NO. 81-166

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED UNCLASSIFIED USE PERMIT - ORANGEBURG BAPTIST CHURCH

WHEREAS, the Modesto City Planning Commission held a public hearing on February 17, 1981, in the Council Chambers, City Hall, for the purpose of considering an Unclassified Use Permit to the Orangeburg Baptist Church for utilization of church facilities for a parochial school, property located at the northwest corner of E. Orangeburg Avenue and Nelson Avenue;

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-52 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed Unclassified Use Permit of the Zoning Map be set for March 24, 1981, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-167

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 10-3-9 OF THE ZONING MAP (ROBERT WEEKS)

WHEREAS, the Modesto City Planning Commission held a public hearing on February 17, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 10-3-9 of the Zoning Map to rezone from R-3 to P-D(298), property located at the southeast corner of Coffee Road and Sylvan Avenue to allow a professional office park including a financial institution the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-49 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 10-3-9 of the Zoning Map be set for May 12, 1981, at 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

ALL of Parcel "3", as shown on the map filed in Book 28 of Parcel Maps, at Page 46, Stanislaus County Records, and a portion of the southwest quarter of Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, City of Modesto, County of Stanislaus, State of California, described as follows:

Beginning at the West quarter corner of said Section 10, being at the intersection of the centerline of Sylvan Avenue with the centerline of Coffee Road; thence North 89°26' East, along the quarter section line and centerline of Sylvan Avenue, 580.22 feet to the intersection with the centerline of Kingswood Drive as shown on abovereferenced map; thence South 0°34' East along said centerline, 827.95 feet to the intersection with the centerline of Princewood Lane as shown on abovereferenced map; thence South 89°12'50" West along said centerline, 577.05 feet to the West line of said Section 10 and centerline of Coffee Road as shown on abovereferenced map; thence North 0°47'10" West along said section line and centerline, 830.17 feet to the Point of Beginning.

SCHEDULE "A"

ROBERT WEEKS

MODESTO CITY COUNCIL
RESOLUTION NO. 81-168

A RESOLUTION ORDERING THE ROSELAWN NO. 2 GOVERNMENTAL REORGANIZATION TO THE CITY OF MODESTO WITHOUT NOTICE, HEARING, OR ELECTION.

WHEREAS, a petition signed by all of the owners of land residing within that certain territory known as the Roselawn No. 2 Annexation in the County of Stanislaus requesting annexation of the Roselawn No. 2 Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated February 18, 1981 approved said annexation to the City of Modesto upon condition that it be processed as a Governmental Reorganization pursuant to the provisions of Division 1 of Title 6 of the Government Code of the State of California, and designated said Governmental Reorganization the Roselawn No. 2 Governmental Reorganization, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution ordered that said Governmental Reorganization consist of (a) the annexation of said territory to the City of Modesto; (b) the detachment of said territory from the Burbank-Paradise Fire Protection District; and (c) the annexation of said territory to the Modesto Municipal Sewer District; and that the territory be subject to the bonded indebtedness of the Sewer District, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution ordered that a negative declaration be filed as to the environmental effect of the subject Governmental Reorganization, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution designated the City of Modesto as the conducting authority for said Governmental Reorganization and authorized the Council of the City of Modesto to proceed without notice, hearing or election pursuant to section 56261 of the Government Code of the State of California,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the District Reorganization Act of 1964, as amended, have been complied with.

2. That the area or territory designated as the Roselawn No. 2 Governmental Reorganization is more particularly described as attached hereto and made a part hereof by reference as though set forth in full herein.

3. Said territory is hereby annexed to and made a part of the City of Modesto.

4. Said territory is hereby detached from the Burbank-Paradise Fire Protection District.

5. Said territory is hereby annexed to the Modesto Municipal Sewer District No. 1. Said territory shall be subject to the authorized or existing bonded indebtedness of the Sewer District.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, a certified copy of this resolution, stating the date of its passage and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the Executive Officer of the Stanislaus County Local Agency Formation Commission together with a payment of all fees required by section 56450 of the California Government Code.

BE IT FURTHER RESOLVED that pursuant to section 56454 of the California Government Code, this Governmental Reorganization shall be effective on the date of execution of the certificate of completion by the Executive Officer of the Stanislaus County Local Agency Formation Commission.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of this Governmental Reorganization is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of said Governmental Reorganization.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Public Works Department

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits said point being on the 1/4 1/4 Section Line, Center Line of 60.00 foot Roselawn Avenue, and the North line of the Roselawn-Rouse Governmental Reorganization, as per map recorded 6-26-80, as Instrument No. 79691, Stanislaus County Records;

1. thence continuing along the existing City Limits and the Northern line of said Addition(408) and 1/4 1/4 Section Line, South 89° 45' 00" West, 202.11 feet;

2. thence leaving the existing 1/4 1/4 Section Line, North 00° 03' 00" West, 132.00 feet;

3. thence South 89° 45' 00" West, 127.89 feet;

4. thence North 00° 03' 00" West, 528.00 feet;

5. thence North 89° 45' 00" East, 330.00 feet, to the Center Line of 60.00 foot Roselawn Avenue;

6. thence along said Center Line of Roselawn Avenue, South 00° 03' 00" East, 660.00 feet to the point of beginning, containing 4.612 Acres more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-169

A RESOLUTION APPOINTING MEMBER OF THE PLANNING COMMISSION (RICHARD N. SHAFFER)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to the Planning Commission for the respective term as indicated:

Richard Neil Shaffer
3309 Bridle Path Lane
Modesto, Ca. 95350

Term to expire 1-1-85

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Planning Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-170

A RESOLUTION APPOINTING MEMBER OF THE CULTURE COMMISSION (MARGARET RUSH)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to the Culture Commission for the respective term as indicated:

Margaret Rush
2948 Scenic Drive
Modesto, Ca. 95355
Term to expire 1/1/85

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Culture Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO 81-171

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO APPROVING PRIORITY PLAN FOR DISTRIBUTION FOR 1980 CALIFORNIA PARKLANDS ACT FUNDS.

WHEREAS, the California Parklands Act of 1980 authorized sale of bonds in the total amount of $85 million for grants to cities, counties and districts to be used for park, recreational and historical acquisition and development purposes; and

WHEREAS, the Act provides for an allocation to each county to be based upon the estimated population of the counties, and

WHEREAS, the Act provides that each county shall consult with all eligible cities and districts in the county to develop and submit to the state a priority plan for expenditure of the county's proposed allocation, and

WHEREAS, representatives of the cities within the County of Stanislaus met in January, 1981, to discuss a plan for expenditure of the proposed allocation to Stanislaus County based upon a formula which would grant each agency $20,000.00, with the remaining balance to be apportioned upon the basis of population as follows:

Ceres	$ 38,141
Hughson	20,000
Modesto	343,449
Newman	20,000
Oakdale	28,649
Patterson	20,000
Riverbank	20,000
Turlock	78,182
Waterford	20,000
Stanislaus County	316,526
	$904,947

WHEREAS, such formula appears to the Council of the City of Modesto to be fair and equitable,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the following priority plan for distribution of California Parklands Act funds in Stanislaus County:

Ceres	$ 38,141
Hughson	20,000
Modesto	343,449
Newman	20,000
Oakdale	28,649
Patterson	20,000
Riverbank	20,000
Turlock	78,182
Waterford	20,000
Stanislaus County	316,526
	$ 904,947

BE IT FURTHER RESOLVED that copies of this resolution be sent to the Stanislaus County Board of Supervisors, the Stanislaus County Parks Department, and the eight other cities in the County of Stanislaus.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 172

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO APPROVING THE PRIORITY OF EXPENDITURES TO BE RECEIVED BY THE CITY UNDER THE 1980 CALIFORNIA PARKLANDS ACT.

WHEREAS, in November, 1980, the citizens of California approved the California Parklands Act of 1980, in the amount of $285 million dollars, and

WHEREAS, the County of Stanislaus and eight (8) cities located in Stanislaus County will receive an allocation of $904, 950 as a result of said California Parklands Act of 1980, and

WHEREAS, the California Parklands Act of 1980 authorizes the use of funds received therefrom for park, recreational and historical acquisition and development purposes, and

WHEREAS, based upon the formula for distribution of the allocation of $904, 940 for the County of Stanislaus and eight (8) cities located therein, the portion to be received by the City of Modesto is $343, 449, and

WHEREAS, the Council desires to approve the priority of expenditures of funds received by it under the California Parklands Act of 1980,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the following priority of expenditures from the $343, 449 which it will receive as its allocation under the California Parklands Act of 1980:

1. Neighborhood Park Acquisition
2. Community Park Development
3. Neighborhood Park Development

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-173

A RESOLUTION OF THE CITY OF MODESTO DECLARING CANVASS OF RETURNS AND RESULTS OF REGULAR MUNICIPAL ELECTION HELD ON TUESDAY, MARCH 3, 1981.

WHEREAS, the Council of the City of Modesto duly called and ordered held in the City of Modesto and in the Modesto City School District of Stanislaus County and the Modesto High School District of Stanislaus County, on Tuesday, the 3rd day of March 1981, a Regular Municipal Election to elect one Councilmember (Chair No. 2) for an extended term of four years and eight months; one Councilmember (Chair No. 4) for an extended term of four years and eight months; one Councilmember (Chair No. 5) for an extended term of four years and eight months; and four members of the Board of Education of said school districts for extended terms of four years and eight months each; and submitted to the qualified electors in the City of Modesto at said Regular Municipal Election an initiative ordinance and an advisory measure, and

WHEREAS, said Regular Municipal Election was held on Tuesday, March 3, 1981, in accordance with law and the proceedings of said Council and the votes thereat received and canvassed, and the returns thereof ascertained, determined, and declared in all respects as required by law, and

WHEREAS, the City Clerk has canvassed the returns of said election in accordance with law and said proceedings, and has certified the results of the election to the Council by a Certificate of Canvass and Statement of Votes dated March 10, 1981.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. Said canvass by the City Clerk as shown on said Certificate of Canvass and Statement of Votes and the results of the election are hereby ratified, confirmed and approved.

2. Attached, marked Exhibit "A" and, by reference, made a part hereof is a copy of said Certificate of Canvass and Statement of Votes showing a complete tabulation of the following:

(a) The whole number of votes cast.

(b) The names of the persons voted for.

(c) The measures voted upon.

(d) For what office each person was voted for.

(e) The number of votes given at each precinct to each person and for and against each measure.

(f) The total number of votes given to each person and for and against each measure.

3. At said Regular Municipal Election the following named persons received the largest number of votes for the following offices, respectively, and were therefore duly elected to the respective offices for which they were respectively candidates, and each of said persons having received the largest number of votes cast for any person for such office is hereby declared to be duly and regularly elected to such office respectively, and the City Clerk is hereby directed to issue a Certificate of Election to each of said persons, certifying his/her election to the office appearing after his/her name, and to administer to each of said persons the oath of office prescribed by the Constitution and laws of the State of California, and the Charter of said City, to wit:

Thomas A. Bright	Councilmember for an extended term of four years and eight months, Chair No. 2
Richard Patterson	Councilmember for an extended term of four years and eight months, Chair No. 4
Richard A. Lang	Councilmember for an extended term of four years and eight months, Chair No. 5
Marjorie E. Fovinci	Member, Board of Education, for an extended term of four years and eight months
Michael A. McKibban	Member, Board of Education, for an extended term of four years and eight months
John Uhl	Member, Board of Education, for an extended term of four years and eight months
Alan G. Vincent	Member, Board of Education, for an extended term of four years and eight months

4. At said Regular Municipal Municipal Election the following measures were submitted to the electors of the City and the number of votes given in the City for and against said measures were as follows:

		Total Votes For	Total Votes Against
Measure A City of Modesto Initiative Ordinance	Shall the ordinance entitled "An Ordinance to Bar the City from Acquiring Additional Land for Proposed Dry Creek Golf Course, and Requiring the City to Sell Bluff Land Previously Acquired for Said Golf Course" be adopted?	3,126	9,959

More than a majority of all the votes cast at the election on Measure A were against said initiative ordinance and the City Council hereby finds and determines that said initiative ordinance did not carry and was not approved and ratified by a majority of the qualified voters voting on said initiative ordinance.

		Total Votes For	Total Votes Against
Measure B City of Modesto Sewer Trunk Extension Advisory Measure	Shall the City Council approve an extension of the Lakewood sanitary trunk sewer line from Briggsmore Avenue north to Floyd Avenue to serve the Merle Neighborhood and the portion of the Merle East Neighborhood south of Floyd Avenue extended, as said neighborhoods are shown on the Modesto Urban Area General Plan? This sanitary trunk sewer line is planned to be of sufficient size to provide capacity for future extension(s) of said trunk sewer line, subject to advisory vote(s) of the electorate, to serve the Claus, remainder of the Merle East, Santa Fe and Plainview Neighborhoods, as said neighborhoods are shown on the Modesto Urban Area General Plan.	3,700	9,247

More than a majority of all the votes cast at the election on Measure B were against the sewer trunk extension advisory measure and the City Council hereby finds and determines that said sewer trunk extension advisory measure did not carry and was not approved by a majority of the qualified voters voting on said sewer trunk extension advisory measure.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution

adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

CERTIFICATE OF CANVASS

AND STATEMENT OF RESULTS

FOR A

REGULAR MUNICIPAL ELECTION

AND GOVERNING BOARD MEMBER ELECTION

HELD IN

CITY OF MODESTO

AND

MODESTO HIGH SCHOOL DISTRICT

ON

MARCH 3, 1981

I, DWAYNE E. LILLY, County Clerk of the County of Stanislaus, State of California, do hereby certify that, pursuant to Section 23553 of the California Elections Code, I did, on March 5, 1981, publicly canvass in my office the returns of the election held on March 3, 1981, within the exterior boundaries of the City of Modesto, and the Modesto High School District, and do hereby declare the results thereof as follows:

The number of votes for each candidate, and for and against each measure was as shown on the within statement.

March 9, 1981

DWAYNE E. LILLY, County Clerk

By Larry Whatley
Larry Whatley
Supervisor of Elections

Card 1

March 3, 1981

	TOTAL VOTES CAST	Shall the ordinance entitled "An Ordinance to Bar the City from Acquiring Additional Land for Proposed Dry Creek Golf Course"?		Shall the City Council approve an extension of the Lakewood sanitary trunk sewer line from Briggsmore Avenue north to Floyd Avenue?	
		YES	NO	YES	NO
CITY OF MODESTO	12513	2112	9098	3442	3542
UNINCORPORATED	1974				
[illegible]	14514	2412	5508	3442	3542
[illegible]	747	214	341	258	305
[illegible]	14761	3124	8106	9247	
ABSENTEE VOTES					
[illegible]	747	214	341	258	305
Z					

Card 2

March 3, 1981

RECAP BY CITY	Mike HERRON	Michael McKIBBAN	Xavier (Harvey) N. MARTINEZ	Dennis COX	Alan G. VINCENT	Marjorie (Marge) E. FOVINCI	Jeremy S. FENDERSON	R. B. (Ray) SHOUGER	John N. UHL	James BOWER	Robert C. BIENVENU
CITY OF CERES	4477	4436	1332	2197	4892	5027	3681	3483	7058	1873	4181
CITY OF MODESTO	691	653	239	419	863	913	659	535	1106	386	740
UNINCORPORATED											
SUB TOTAL	5168	5139	1571	2616	5755	5940	4340	4018	8164	2259	4921
ABSENTEES	191	247	99	158	324	367	208	154	395	145	312
GRAND TOTAL	5359	5386	1630	2774	6079	6307	4548	4172	8559	2404	5233
ABSENTEE VOTES											
TOTAL	191	247	99	158	324	367	208	154	395	145	312

Card 3

March 3, 1981

	James (Jim) HERSHEY	Paul KANTRO	Phil ENOS	Thomas A. BRIGHT
RECAP BY CITY				
CITY OF [illegible]	434	375	3815	7046
UNINCORPORATED				
SUB TOTAL	434	375	3815	7046
ABSENTEES	32	20	171	339
GRAND TOTAL	466		3986	
		395		7385
ABSENTEE VOTES				
TOTAL	32		171	
		20		339

4

Card 4

March 3, 1981

	Richard G. PATTERSON	Jerry JACKMAN	Fleeta RAINES	William (Bill) KEY	Stan FARROW	Mary ARMSTRONG	Louis GALINDEZ	Lucille BOURBEAU	Roy K. BERNARD	Ray NEWMAN	Richard A. LANG
RECAP BY CITY											
CITY OF ARDEN UNINCORPORATED	2133	644	2721	771	2293	398	314	798	143	337	9345
SUB TOTAL	2133	644	2721	771	2293	398	314	798	143	337	9345
ABSENTEE	137	30	153	26	86	27	19	57	6	17	458
GRAND TOTAL	3327	674	2874	797	2379	425	333	855	149	354	9803
ABSENTEE VOTES											
TOTAL	137	30	153	26	86	27	19	57	6	17	458

Card 1

March 3, 1981

	TOTAL VOTES CAST	YES	NO	YES	NO
		Shall the ordinance entitled "An Ordinance to Ea the City from Acquiring Additional Land for Proposed Dry Creek Golf Course----------?		Shall the City Council approve an extension of the Lakewood sanitary trunk sewer line from Briggsmore Avenue north to Floyd Avenue----------?	
CASWELL 7	35				
COFFEE 7	70				
FOOTHILL 1	69				
EVERETT 4	45				
FOOTHILL 5	23				
HART-DAVIS 1	11				
HART-DAVIS 7	42				
MCKINLEY 1	127	42	87	45	73
MCKINLEY 3	136	34	100	51	80
MCKINLEY 4		VOTED ASSEMBLY	SECTION	1005 OF ELECTION CODE	
MCKINLEY 5	127	44	74	36	89
MCKINLEY 6	154	24	130	40	102
MCKINLEY 11	212	28	184	51	157
MCKINLEY 12	178	37	130	35	130
MCKINLEY 13	159	30	129	29	126
MCKINLEY 14	253	54	191	85	158
MCKINLEY 15	176	36	140	32	129
MCKINLEY 16	209	34	170	34	210
MCKINLEY 17	272	46	221	74	187
MCKINLEY 18	194	43	151	43	149
MCKINLEY 19	199	44	155	48	142
MCKINLEY 20	264	63	201	51	190
MCKINLEY 21	221	49	174	52	162
MCKINLEY 22	163	40	129	23	114
MCKINLEY 23	219	54	164	43	164
MCKINLEY 24	174	39	135	40	131
MCKINLEY 25	313	64	249	111	188
MCKINLEY 26	277	64	213	99	161
MCKINLEY 27		VOTED ASSEMBLY	SECTION	1005 OF ELECTION CODE	
MCKINLEY 28	202	50	134	52	143
MCKINLEY 29	245	46	179	62	177
MCKINLEY 30	276	76	192	59	159
MCKINLEY 31	107	32	71	27	69
MCKINLEY 32	163	34	122	38	113
MCKINLEY 33	111	22	82	22	80
MCKINLEY 34	217	27	164	34	164
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

Card 1

March 3, 1981

	TOTAL VOTES CAST	Shall the ordinance entitled "An Ordinance to Bar the City from Acquiring Additional Land for Proposed Dry Creek Golf Course----------?		Shall the City Council approve an extension of the Lakewood sanitary trunk sewer line from Briggsmore Avenue north to Floyd Avenue----------?	
		YES	NO	YES	NO
MCDESIGNATED PRECINCT 79	129	63	63	62	63
MCDESIGNATED PRECINCT 81	309	159	141	153	150
MCDESIGNATED PRECINCT 83	127	57	70	49	76
MCDESIGNATED PRECINCT 84	70	35	42	34	36
MCDESIGNATED PRECINCT 86	192	96	96	94	98
MCDESIGNATED PRECINCT 87	154	96	58	94	60
MCDESIGNATED PRECINCT 88	127	60	67	59	68
MCDESIGNATED PRECINCT 89	196	83	113	83	113
MCDESIGNATED PRECINCT 90	129	69	60	69	60
MCDESIGNATED PRECINCT 91	154	96	58	94	60
MCDESIGNATED PRECINCT 92	117	72	45	72	45
MCDESIGNATED PRECINCT 93	137	69	68	68	69
MCDESIGNATED PRECINCT 94	137	69	68	68	69
MCDESIGNATED PRECINCT 95	137	69	68	68	69
MCDESIGNATED PRECINCT

Card 1

March 3, 1981

	TOTAL VOTES CAST	Shall the ordinance entitled "An Ordinance to Bar the City from Acquiring Additional Land for Proposed Dry Creek Golf Course----------?		Shall the City Council approve an extension of the Lakewood sanitary trunk sewer line from Briggsmore Avenue north to Floyd Avenue----------?	
		YES	NO	YES	NO
MCDEST 54 E 71	294	56	230	85	201
MCDEST 72 E 73	196	40	154	58	133
MCDEST 74 E 115	124	62	60	67	51
MCDEST 116 E 151	259	94	159	95	154
MCDEST 152 E 199	120	27	87	35	87
PAGE 1	55				
PARALISE 1	23				
PARADISE 3	37				
PARADISE 9	10				
PARADISE 10	45				
PARADISE 11	17				
EMPIRE 1 E 6	72				
AIRPORT 1 E 3	42				
CASWELL 6 E 7	36				
CLUB 1 E 2	109				
MC KINLEY 1 E 4	225				
DASHER 5 E 9	14				
PARADISE 2 E 11	96				
SALIDA 1 E 2	111				
MC KINLEY 5 E 10	153				
COFFEE 1 E 5	73				
COFFEE 6 E 9	194				
COFFEE 10-11-12	84				
DIVISION 1 E 3	20				
	14616	2212	9598	3442	9642
ABSENTEE	707	214	441	258	305
	15631	9124	9559	3700	9247

1 of 1

Card 2

March 3, 1981

CASWELL 7	Mike HERRON	Michael McKIBBAN	Xavier (Harvey) N. MARTINEZ	Dennis COX	Alan G. VINCENT	Marjorie (Marge) E. FOVINCI	Jeremy S. FENDERSON	R. B. (Ray) SHOUGER	John N. UHL	James BOWER	Robert C. BIENVENU
CERES 11	3	0	4	9	16	16	17	12	14	8	12
CERES 1	VOTED ABSENTEE - SECTION 1005 OF ELECTION CODE										
CERES 2	VOTED ABSENTEE - SECTION 1005 OF ELECTION CODE										
CERES 3	VOTED ABSENTEE - SECTION 1005 OF ELECTION CODE										
CERES 10	37	4	27	47	41	26	32	58	32	38	
EMPIRE 1	VOTED ABSENTEE - SECTION 1005 OF ELECTION CODE										
EMPIRE 4	14	3	4	22	24	21	18	4	27	19	24
EMPIRE 5	14	14	4	15	20	17	13	17	13	15	17
HART-RANSOM 1	31	20	5	6	34	34	20	23	55	16	27
HART-RANSOM 2	34	34	7	16	42	35	37	24	49	7	34
MC HENRY 5	44	13	15	31	43	23	19	50	17	20	
MODESTO 1	VOTED ABSENTEE - SECTION 1005 OF ELECTION CODE										
MODESTO 2	37	51	29	40	47	36	25	51	36	37	
MODESTO 3	49	13	34	55	46	40	44	79	22	46	
MODESTO 4	VOTED ABSENTEE - SECTION 1005 OF ELECTION CODE										
MODESTO 9	13	30	22	59	47	27	18	65	17	43	
MODESTO 13	50	34	27	60	54	37	27	68	27	56	
MODESTO 14	34	17	41	74	82	66	89	133	31	47	
MODESTO 15	51	29	29	55	55	50	52	94	38	54	
MODESTO 18	58	13	26	60	53	36	46	89	26	42	
MODESTO 20	77	39	13	39	60	107	82	52	137	39	90
MODESTO 21	51	40	23	67	56	49	34	80	26	53	
MODESTO 22	79	84	15	41	94	117	60	69	121	46	80
MODESTO 23	54	54	24	44	115	132	102	53	157	22	121
MODESTO 24	72	71	10	39	67	64	59	59	126	32	61
MODESTO 26	73	49	14	14	74	81	50	59	116	18	71
MODESTO 28	79	79	14	42	93	120	82	71	139	25	77
MODESTO 29	57	46	13	25	102	123	89	42	126	17	100
MODESTO 30	58	59	17	31	60	68	62	40	72	23	47
MODESTO 46	75	96	21	53	91	86	64	79	138	27	68
MODESTO 47	64	72	16	33	70	68	50	49	99	21	51
MODESTO 51	113	114	18	32	131	107	81	107	205	36	101
MODESTO 53	77	61	23	46	116	104	101	72	152	30	95
MODESTO 55	74	61	13	26	66	74	57	44	104	25	78
MODESTO 56	66	77	15	37	117	104	83	68	155	23	95
MODESTO 58	77	81	11	19	90	73	72	77	134	29	65

Card 2

March 3, 1981

	Mike HERRON	Michael McKIBBAN	Xavier (Harvey) N. MARTINEZ	Dennis COX	Alan G. VINCENT	Marjorie (Marge) E. FOVINCI	Jeremy S. FENDERSON	R. B. (Ray) SHOUGER	John N. UHL	James BOWER	Robert C. BIENVENU
MCNEST 41	34	35	17	16	37	41	27	24	52	21	31
MCNEST 43	56	57	27	31	54	58	43	40	78	17	49
MCNEST 47	39	43	24	28	42	43	23	23	54	18	38
MCNEST 70	60	80	63	74	135	133	71	67	149	55	77
MCNEST 74	73	79	59	37	59	73	59	53	89	37	47
MCNEST 33	21	21	21	21	71	69	27	27	123	30	46
MCNEST 35	14	37	11	23	22	27	18	14	21	7	18
MCNEST 84	21	21	9	20	24	26	18	14	21	7	18
MCNEST 87	VOTED	INSENTIVE	SECTION	1005	CF ELECTION	CODE					
MCNEST 97	VOTED	INSENTIVE	SECTION	1005	CF ELECTION	CODE					
MCNEST 99	VOTED	INSENTIVE	SECTION	1005	CF ELECTION	CODE					
MCNEST 111	VOTED	INSENTIVE	SECTION	1005	CF ELECTION	CODE					
MCNEST 113	VOTED	INSENTIVE	SECTION	1005	CF ELECTION	CODE					
MCNEST 117	64	64	19	27	41	56	29	32	73	29	41
MCNEST 119	64	64	19	27	41	56	29	32	73	29	41
MCNEST 121	64	64	19	27	41	56	29	32	73	29	41
MCNEST

Card 2

March 3, 1981

	Mike ERPON	Michael McKIBBAN	Xavier (Harvey) N. MARTINEZ	Dennis COX	Alan G. VINCENT	Marjorie (Marge) E. FOVINCI	Jeremy S. FENDERSON	R. B. (Ray) SHOUGER	John N. UHL	James BOWER	Robert C. BIENVENU
MODESTO 18 & 69	85	66	16	41	93	84	63	75	147	30	60
MODESTO 44 & 82	43	33	25	42	100	104	76	76	148	33	70
MODESTO 66 & 67	34	34	17	29	73	62	47	64	119	26	67
MODESTO 68 & 77	36	60	14	22	38	42	23	43	56	23	34
MODESTO 71 & 71	113	98	39	51	114	115	87	66	142	45	92
MODESTO 72 & 73	53	52	25	42	74	86	48	45	115	23	67
MODESTO 78 & 139	58	42	24	36	48	42	33	34	58	25	41
MODESTO 81 & 84	87	87	19	40	99	115	84	67	148	31	76
MODESTO 85 & 86	58	52	12	23	38	45	35	44	71	23	34
PAGE 1	17	8	10	4	11	12	7	4	11	5	5
PARADISE 1	4	6	1	5	18	21	11	2	17	4	12
PARADISE 2	7	16	2	9	7	17	4	8	13	14	9
PARADISE 6	14	11	11	9	15	14	8	4	14	7	9
PARADISE 8	23	24	13	15	22	34	17	16	34	11	20
PARADISE 15	16	12	13	9	13	16	12	11	19	10	14
PARADISE 17	VOTES ABSENTEE - SECTION 1005 OF ELECTION CODE										
PRESCOTT 2	VOTES ABSENTEE - SECTION 1005 OF ELECTION CODE										
EMPIRE 4 &	12	16	13	22	39	39	22	11	44	20	35
ATWATER 1, 3 &	24	23	22	24	24	24	22	13	24	27	29
CASWELL 5 &	24	19	17	15	19	22	18	13	24	18	14
CLUB 9 & CASA 2	33	27	24	17	22	23	19	8	18	22	32
MC HENRY 1 &	39	65	9	32	96	125	101	61	129	27	72
PARADISE 4 & 7	47	28	13	19	42	47	28	29	48	23	28
PARADISE 9 & 11	21	14	4	9	29	24	19	14	35	10	22
SALIDA 1 & 2	42	34	7	29	61	79	56	32	79	21	64
MC HENRY & PRESCOTT 1	59	48	9	27	74	69	66	49	103	12	53
CROWS & MC HENRY 2	27	21	7	13	33	23	13	25	43	13	33
CROWS & 3	58	59	7	28	83	104	63	54	118	11	79
CROWS WALNUT & MC H	42	42	9	17	32	32	25	39	54	13	31
RIVERBANK 5 &	2	4	3	6	8	9	12	7	11	4	8
ABSENTEE	5169	5139	1531	2516	5755	5940	4340	4018	8164	2259	4921
TOTAL	191	247	99	158	324	367	208	154	365	145	312
	5360	5386	1630	2774	6079	6307	4548	4172	8529	2404	5233

Card 3

March 3, 1981

	James (Jim) HERSHEY	Paul KANTRO	Phil ENOS	Thomas A. BRIGHT
MODESTO 1	11	6	34	64
MODESTO 3	7	2	32	76
MODESTO 7	VOTED ABSENTEE - SECTION 1005 OF ELECTION CODE			
MODESTO 8	1	6	36	73
MODESTO 9	7	12	31	59
MODESTO 12	5	2	63	138
MODESTO 14	12	6	49	89
MODESTO 15	4	2	49	75
MODESTO 16	12	3	74	135
MODESTO 20	4	6	32	67
MODESTO 21	6	13	70	135
MODESTO 22	13	5	73	164
MODESTO 30	12	7	52	108
MODESTO 32		6	57	121
MODESTO 34	2	9	47	132
MODESTO 36	1	11	73	133
MODESTO 37	4	4	51	91
MODESTO 38	8	13	54	119
MODESTO 46	5	4	48	107
MODESTO 47	4	3	78	212
MODESTO 48	12	3	60	166
MODESTO 49	VOTED ABSENTEE - SECTION 1005 OF ELECTION CODE			
MODESTO 51	4	4	48	100
MODESTO 55	3	7	73	152
MODESTO 56	2	5	53	149
MODESTO 61	2		29	58
MODESTO 65	5	3	46	84
MODESTO 66	5		38	52
MODESTO 70	11	6	64	189
MODESTO 75	11	3	49	94
MODESTO 81	3	1	59	120
MODESTO 83	4	3	42	43
MODESTO 96	1	4	16	27
MODESTO	VOTED ABSENTEE - SECTION 1005 OF ELECTION CODE			
MODESTO 97	VOTED ABSENTEE - SECTION 1005 OF ELECTION CODE			
MODESTO 98	VOTED ABSENTEE - SECTION 1005 OF ELECTION CODE			

Card 3

March 3, 1981

	James (Jim) HERSHEY	Paul KANTRO	Phil ENOS	Thomas A. BRIGHT
MCDESTR 49	VOTER REGISTERED - SECTION 1005 OF ELECTION CODE			
MCDESTR 50	VOTER REGISTERED - SECTION 1005 OF ELECTION CODE			
MCDESTR 98	VOTER REGISTERED - SECTION 1005 OF ELECTION CODE			
MCDESTR 101	2	94	72	
MCDESTR 102	1	53	72	
MCDESTR 111	1	32	77	
MCDESTR 130	7	11	50	55
MCDESTR 131	3	2	21	67
MCDESTR 132	7	14	49	75
MCDESTR 133	2	4	115	162
MCDESTR 134	1	4	30	56
MCDESTR 135	5	7	23	62
MCDESTR 136	12	9	129	148
MCDESTR 137	7	7	64	176
MCDESTR 138	13	9	122	126
MCDESTR 139	4	3	149	260
MCDESTR 140	13	12	97	151
MCDESTR 141	15	4	119	222
MCDESTR 142	3	2	53	166
MCDESTR 143	7	13	20	181
MCDESTR 144	4	7	53	124
MCDESTR 145	13	6	66	89
MCDESTR 146	6	6	57	63
MCDESTR 147	12	7	47	123
MCDESTR 148	15	6	54	81
MCDESTR 149	4	5	35	51
MCDESTR 150	5	5	53	133
MCDESTR 151	12	8	64	143
MCDESTR 152	3	4	43	123
MCDESTR 153	7	2	39	58
MCDESTR 154	6	4	91	167
MCDESTR 155	5	4	47	119
MCDESTR 156	11	5	53	70
MCDESTR 157	5	7	70	130
MCDESTR 158	4	2	34	74
ABSENTEE	644	174	351	7044
	10	2	171	329
	654	176	522	7373

Card 4

March 3, 1981

	Richard G. PATTERSON	Jerry JACKMAN	Fleeta RAINES	William (Bill) KEY	Stan FARROW	Mary ARMSTRONG	Louis GALINDEZ	Lucille BOURBEAU	Roy K. BERNARD	Ray NEWMAN	Richard A. LANG
MODESTO 1	20	11	35	10	9	9	6	6	2	2	82
MODESTO 2	31	2	35	9	12	7	5	25	1	2	106
MODESTO 3	VOTED ABSENTEE - SECTION 1005 OF ELECTION CODE										
MODESTO 5	44	6	31	4	7	7	3	7	3	3	91
MODESTO 9	44	7	23	6	7	9	10	18	1	2	100
MODESTO 13	50	15	36	12	57	4		13	2	5	158
MODESTO 14	56	6	27	8	19	9	15	8	4	6	128
MODESTO 15	38	15	20	13	19	5	5	16	2	3	104
MODESTO 19	55	11	57	11	27	7	2	16	5	21	178
MODESTO 20	33	10	28	8	36	7	6	9	3	2	127
MODESTO 21	54	24	53	18	37	9	3	16	2	7	185
MODESTO 22	57	6	77	21	49	4	6	18		6	201
MODESTO 30	56	7	44	17	25	3	4	26	2	6	153
MODESTO 32	47	4	46	7	55	2		14	2	3	132
MODESTO 34	65	5	54	7	91	5	5	10		1	169
MODESTO 36	53	5	43	11	59		3	14	1	5	156
MODESTO 38	40	7	37	11	23	5	3	3	1	3	117
MODESTO 39	52	14	44	12	65	4	5	7	2	4	165
MODESTO 45	50	4	23	8	30	6	2	15	2	5	141
MODESTO 47	56	13	90	21	74	8	6	14	2	2	225
MODESTO 48	77	5	75	7	55	2	3	18	1	4	204
MODESTO 49	VOTED ABSENTEE - SECTION 1005 OF ELECTION CODE										
MODESTO 53	51	6	51	5	26	10	4	19	2	1	137
MODESTO 55	43	13	56	11	67	1	5	13		2	137
MODESTO 58	55	11	44	17	65	2	3	7		7	174
MODESTO 61	36	6	25	7	10	2	1	6	2	6	94
MODESTO 63	52	12	21	9	10	9	6	6	1	7	120
MODESTO 66	17	9	25	6	19	3	5	11	1	2	76
MODESTO 72	53	10	28	31	35	19	9	7	7	4	223
MODESTO 75	60	13	47	8	13	9	3	16	1	8	133
MODESTO 81	49	5	52	15	37	4		21	2	7	167
MODESTO 83	19	3	18	6	14	3	5	12		4	65
MODESTO 84	5	3	23	1	11	1	5	3		1	44
MODESTO 86	VOTED ABSENTEE - SECTION 1005 OF ELECTION CODE										
MODESTO 87	VOTED ABSENTEE - SECTION 1005 OF ELECTION CODE										
MODESTO 94	VOTED ABSENTEE - SECTION 1005 OF ELECTION CODE										

STANISLAUS COUNTY

Chair 4

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Card 4

March 3, 1981

	Richard G. PATTERSON	Jerry JACKMAN	Fleeta RAINES	William (Bill) KEY	Stan FARROW	Mary ARMSTRONG	Louis GALINDEZ	Lucille BOURBEAU	Roy K. BERNARD	Ray NEWMAN	Richard A. LANG
MODESTO 39		VOTED ABSENTEE - SECTION 1005 OF ELECTION CODE									
MODESTO 82		VOTED ABSENTEE - SECTION 1005 OF ELECTION CODE									
MODESTO 99		VOTED ABSENTEE - SECTION 1005 OF ELECTION CODE									
MODESTO 103	33	5	18	8	15	4	4	14	1	7	90
MODESTO 101	42	5	24	9	23	6	3	16		3	115
MODESTO 104	34	8	22	6	14	1	1	11	2	7	97
MODESTO 105	32	13	9	9	20	14	6	15	3	6	98
MODESTO 4 & 47	46	9	15	14	3	13	3	6		4	88
MODESTO 6 & 7	63	7	17	11	9	21	5	9	5	7	113
MODESTO 9 & 10	69	5	85	38	43	14	3	21	2	6	203
MODESTO 11 & 12	33	13	35	14	20	10	5	14	2	8	132
MODESTO 24 & 25	29	9	22	3	10	4	6	7	3	3	75
MODESTO 26 & 27	81	13	51	21	68	6	6	9		14	193
MODESTO 29 & 31	79	27	55	18	46	8	10	13	5	11	229
MODESTO 30 & 32	59	19	34	19	52	7	5	11	5	3	194
MODESTO 35 & 37	114	18	103	32	120	7	8	25		6	343
MODESTO 40 & 41	72	14	58	22	42	9	8	29	2	9	202
MODESTO 42 & 43	91	13	91	16	123	4	3	21	5	4	298
MODESTO 50 & 51	69	15	64	15	48	5	4	8		7	198
MODESTO 52 & 53	87	5	84	16	43	11	7	29	4	11	243
MODESTO 54 & 62	51	13	50	9	20	11	4	15	1	8	151
MODESTO 16 & 17	48	6	18	10	47	9	9	14	7	2	136
MODESTO 44 & 47	30	13	21	10	12	6	9	6	8	12	106
MODESTO 48 & 58	62	18	56	20	22	10	6	10	4	7	175
MODESTO 55 & 57	51	15	40	7	19	6	10	12	3	4	133
MODESTO 93, 95A & 104	25	4	29	5	17	1	11	1		9	90
MODESTO 14 & 85	51	9	46	18	50	1	7	6		8	155
MODESTO 44 & 60	53	12	53	19	53	9	2	17	3	4	175
MODESTO 46 & 57	51	18	39	11	38	5	4	14	5	3	164
MODESTO 59 & 77	38	10	19	11	14	3	7	8	8	1	87
MODESTO 69 & 71	69	15	73	15	65	6	8	16	1	3	210
MODESTO 72 & 79	45	2	35	4	107	3		6	3	3	145
MODESTO 76 & 102	29	9	24	10	15	1	2	10	1	1	92
MODESTO 91 & 93	77	17	68	11	39	5	6	6	3	4	192
MODESTO 94 & 98	38	9	26	8	18	1	4	1	3	4	103
	3190	644	2721	771	2293	398	314	798	143	337	9345
ABSENTEE	137	33	153	26	86	27	19	57	6	17	458
TOTAL	3327	674	2874	797	2379	425	333	855	149	354	9803

FORM 148 B

MODESTO CITY COUNCIL
RESOLUTION NO. 81-174

A RESOLUTION AMENDING SECTIONS 1 AND 2 OF RESOLUTION NO. 69-44 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PREZONED PLANNED DEVELOPMENT ZONE, P-PD(60). (WILBUR GRANT)" (CALVIN BRIGHT, LEW & ASSOCIATES)

WHEREAS, the City Council, by Ordinance No. 949-C. S. which was introduced on January 20, 1969, finally adopted on February 3, 1969, and which became effective on March 5, 1969, amended Section 26-3-9 of the Zoning Map to prezone to P-D(60) property located between Miller and Haddon Avenues west of North Riverside Drive to allow apartment, fourplex, triplex and duplex structures, and

WHEREAS, City Council Resolution No. 69-44 which was adopted on January 20, 1969, approved the development plan for P-D(60) and contains the conditions of approval thereof, and

WHEREAS, a verified application for an amendment to P-D(60) was filed by Lew and Associates for Calvin E. Bright on December 31, 1980, to convert ninety-six (96) units to residential condominiums, and

WHEREAS, said application was set for public hearing before the Planning Commission on February 2, 1981, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 81-42, found and determined that an amendment to P-D(60) to allow conversion of the ninety-six (96) existing residential units to condominiums is required by public necessity, convenience, and general welfare for the following reasons:

1. The proposal is for a change in the form of ownership only of existing units.

2. The P-D Zone and conditions of approval insure a degree of compatibility consonant with surrounding properties,

and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on March 10, 1981, and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to permit conversion of the ninety-six (96) existing residential units to condominiums is required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 81-42, and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Sections 1 and 2 of Modesto City Council Resolution No. 69-44, entitled "A Resolution Approving a Development Plan For Prezoned Planned Development Zone, P-PD(60) (Wilbur Grant)" is hereby amended to read as follows:

"SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(60) is hereby approved subject to the following conditions:

1. All development shall be in accordance with the plan titled "Plot Plan of a Portion of the Southeast 1/4 of the Southwest 1/4, Section 26, Township 3 S, Range 9 East, M. D. B. & M.", dated November, 1968, as amended in red on its face and on file in the office of the Director of Planning and Community Development, and the plot plan titled "Plot Plan of Grantland Manor" as amended in red, stamped approved by the Planning Commission on February 2, 1981.

2. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

3. Drainage shall be provided as required by the Director of Public Works.

4. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

5. All utilities and TV facilities shall be underground, except that one central radio and TV antenna may be provided with underground wiring to the individual units and recreation buildings.

6. All signs shall comply with the sign requirements of the R-3 Zone.

7. Prior to sale of any condominiums, a subdivision map shall be recorded.

8. Prior to recordation of a final subdivision map, the developer shall obtain certification from the Chief Building Official that all construction conforms to all building and fire safety standards for condominiums established by the Chief Building Official.

9. Prior to recordation of a final subdivision map, the developer shall obtain certification from the Director of Parks and Recreation that the landscaping and irrigation system generally conforms to City standards and/or any previously approved plans. "

10. Prior to recordation of a final subdivision map, all private patio fences shall be raised to a minimum six-feet in height.

"SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned Development Zone, P-D(60):

> The entire conversion program shall be accomplished in one phase, construction to begin on or before September 1, 1982, and completion to be not later than September 1, 1984."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-175

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (296).

WHEREAS, a verified application for an amendment to Section 22-3-9 of the Zoning Map was filed by Tom MacDonald on December 15, 1980, to reclassify from Professional Office Zone, P-O, to Planned-Development Zone, P-D, the following described property:

All that portion of the northwest quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

The south half of Lot 5, all of Lot 6, and the north 63.26 feet of Lot 7 in Block 1212 of Garden Acre Tract, as per map thereof filed November 18, 1940 in Volume 14 of Maps, Page 9, Stanislaus County Records.

Including also all of the east one-half of Coffee Road and west one-half of Water Street immediately adjacent to the above described property.

WHEREAS, after public hearing held on February 2, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed rezoning is for a change in the form of ownership only of an office complex previously approved in the P-O Zone by the Board of Zoning Adjustment.

2. The P-D Zone and conditions of approval insure a degree of compatibility consonant with surrounding properties.

WHEREAS, after a public hearing held on March 10, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Tom MacDonald for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2023-C.S. on the 10th day of March, 1981, reclassifying the above-described property from Professional Office Zone, P-O, to Planned-Development Zone, P-D (296).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(296) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan (and floor plans) titled "Site Plan - Coffee Road Professional Offices" as amended in red, stamped approved by the Planning Commission on February 2, 1981.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code.

3. Fencing shall be constructed prior to occupancy and shall be as follows:

   6 foot decorative masonry wall along Water Street 15 feet set back from the property lines.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. The developer shall dedicate and/or improve sufficient right-of-way as required by the Director of Public Works to complete Coffee Road and Water Street to a major and resendial street standards, respectively prior to occupancy or upon demand by the City, whichever occurs first.

6. All private streets and parking areas shall be constructed in accordance with the standard structural section for residential streets as contained in the City of Modesto Standard Specifications.

7. Prior to issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the Director of Public Works.

8. Irrigation lines shall be removed or relocated as required by the Modesto Irrigation District and the Director of Public Works. Easements for irrigation lines to remain shall be dedicated.

9. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

10. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

11. All signs shall comply with the sign requirements of the P-O Zone.

12. Prior to sale of any condominiums, a subdivision map shall be recorded.

13. Prior to recordation of a final subdivision map, the developer shall obtain certification from the Chief Building Official that all construction conforms to all building and fire safety standards for condominiums established by the Chief Building Official.

14. The developer shall dedicate to the City of Modesto a street tree planting easement along the Water Street frontage as required by the Director of Parks and Recreation.

15. The applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. Hydrants shall be installed and operable prior to construction of any structures.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (296):

The entire construction program shall be accomplished in one phase, construction to begin on or before February 2, 1981, and completion to be not later than February 2, 1982.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (296) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn I. Johnson
ELWYN I. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Burtch
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-176

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 22-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (TOM MACDONALD)

WHEREAS, on March 10, 1981, the City Council introduced Ordinance No. 2023 - C. S. giving approval to a project relating to an amendment to Section Map 22-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Professional Office Zone, P-O, to Planned Development Zone, P-D(296), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 22-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Professional Office Zone, P-O, to Planned Development Zone, P-D(296).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 177

A RESOLUTION ADOPTING A ZONING AND DEVELOPMENT PLAN FOR THE BRET HARTE AND PORTION OF THE FAIRVIEW NEIGHBORHOODS.

WHEREAS, it was recommended by the Planning Commission at its meeting on February 17, 1981, by its Resolution No. 81-53, that a Zoning and Development Plan for the Bret Harte and portion of Fairview Neighborhoods be adopted, and

WHEREAS, it has been found and determined by the City Council that the following Zoning and Development Plan should be adopted for the Bret Harte and portion of the Fairview Neighborhoods:

1. Medium density (R-2) zoning along Hatch Road and Whitmore Avenue as shown on the attached map.

2. An agriculturally oriented industrial park is shown at the northwest corner of Crows Landing Road and Whitmore, the already approved P-D(247).

3. Crows Landing Road is designated as a commercial strip on the Modesto Urban Area General Plan. This designation is reflected with highway frontage (H-1) zoning along Crows Landing Road.

4. The north side of Hatch Road adjacent to the H-1 zoning is delineated C-2 to reflect existing development.

The Planning Commission will evaluate zoning and prezoning applications in the Bret Harte and a portion of the Fairview Neighborhoods based on this plan.

It is also City policy to encourage the following in developing the neighborhood.

5. Ustick Road, the western boundary of the Bret Harte Neighborhood, is a collector rather than the normal major street. Efforts should be made in the R-2 areas on Ustick, Hatch and Whitmore to limit the number of driveways onto the street. This should help smooth the traffic flow.

6. In order to help conserve energy, east-west street orientation is recommended.

7. To foster better urban design, curvilinear street design is recom-

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby adopts the plan as set forth above and as shown on the attached map as the Zoning and Development Plan for the Bret Harte and Portion of Fairview Neighborhoods.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

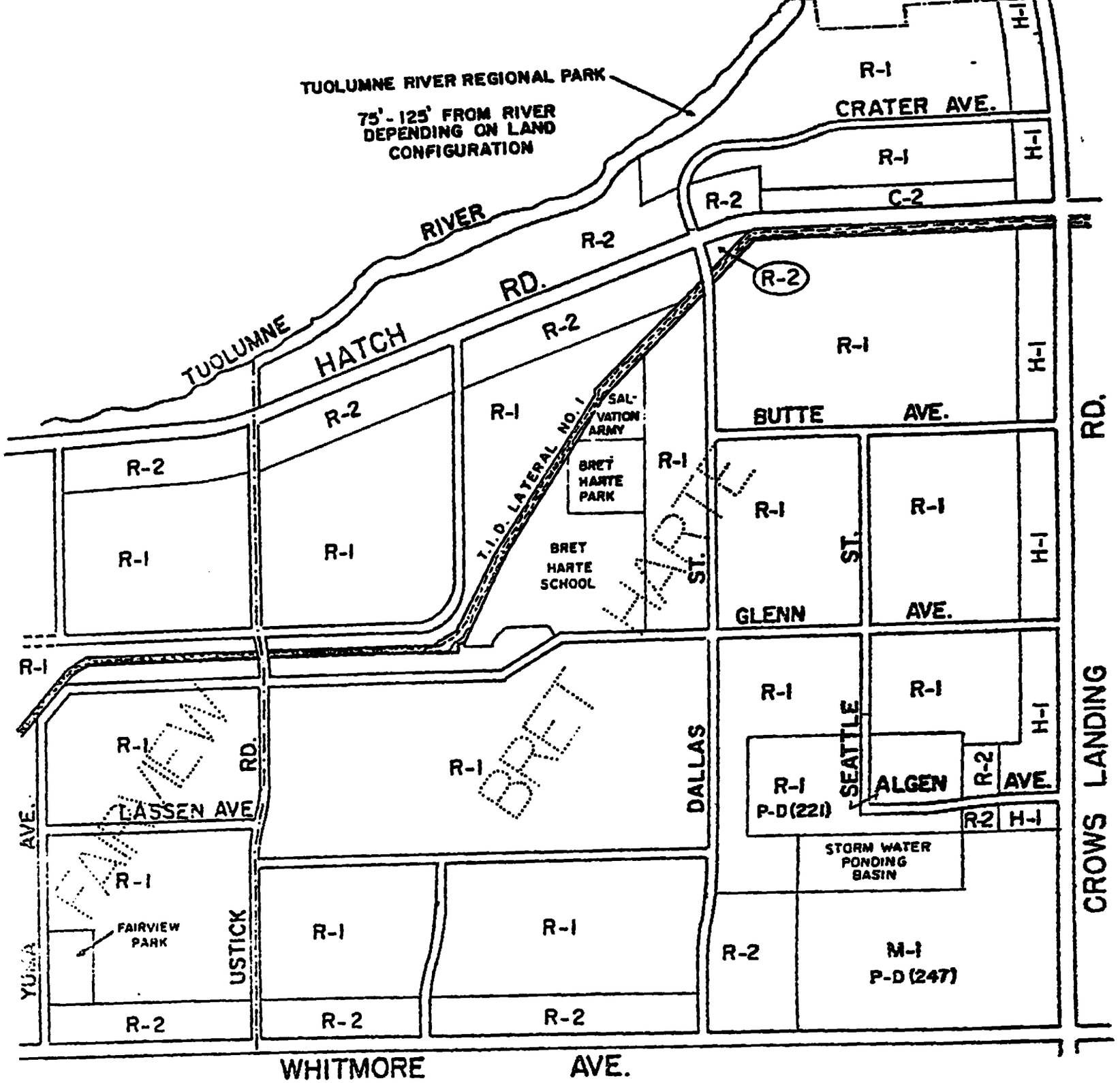
AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney



NEIGHBORHOOD ZONING & DEVELOPMENT PLAN
BRET HARTE AND PORTION OF FAIRVIEW NEIGHBORHOODS

N

1"=1000'

January, 1981

CITY OF MODESTO
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

—·—·— NEIGHBORHOOD BOUNDARY LINE

ADOPTED BY PLANNING COMMISSION FEBRUARY 17, 1981
ADOPTED BY CITY COUNCIL

MODESTO CITY COUNCIL
RESOLUTION NO. 81-178

A RESOLUTION ACCEPTING THE BID OF FERRERO ELECTRIC, INC. TO CONSTRUCT OAKDALE/WYLIE TRAFFIC SIGNALS

WHEREAS, Resolution No. 81-51, adopted by the Council of the City of Modesto on January 27, 1981, approved the plans and specifications for the construction of traffic signals at Oakdale/Wylie and authorized the calling for bids; and

WHEREAS, the bids received for the construction of traffic signals at Oakdale/Wylie were opened at 11:00 a.m. on March 3, 1981, and later tabulated by the Director of Traffic Parking and/ for the consideration of the Council; and

WHEREAS, the Director of Traffic Parking and/ has recommended that the bid of Ferrero Electric, Inc. in the amount of $44,490 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Ferrero Electric, in the amount of $44,490 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-179

A RESOLUTION ACCEPTING THE BID OF CENTRAL VALLEY EQUIPMENT ON ITEMS I AND II, PARKS TURF TRUCKS

WHEREAS, Resolution No.80-1302, adopted by the Council of the City of Modesto on December 23, 1980 , approved the plans and specifications for the Items I and II, Parks turf trucks and authorized the calling for bids; and

WHEREAS, the bids received for the Parks turf trucks, Items I and II were opened at 2:00 p.m. on January 13, 1981 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Central Valley Equipment in the amount of $25,468.10 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Central Valley Equipment in the amount of $25,468.10 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March , 1981 , by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-180

A RESOLUTION ACCEPTING THE CONSTRUCTION OF CURB AND GUTTER ON BRIGGSMORE AVENUE

WHEREAS, a report has been filed by the Director of Public Works that the construction of curb and gutter on Briggsmore Avenue has been completed by *The Flintkote Company* in accordance with the contract agreement dated December 16, 1980.

NOW, THEREFORE, BE IT RESOLVED that the construction of curb and gutter on Briggsmore Avenue be accepted from said contractor, The Flintkote Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $47,186.65 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-181

A RESOLUTION SETTING TIME AND PLACE FOR HEARING CONCERNING ALIGNMENT OF ROUTE 132 IN THE VICINITY OF JENNIE AND GRAND STREETS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 24, 1981, at 7:30 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of alignment of Route 132 in the vicinity of Jennie and Grand Streets.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-182

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY SCOTT JOHNSON TO A DECISION OF THE BOARD OF BUILDING APPEALS CONCERNING PROPERTY LOCATED AT 1418 - 1430 "I" STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 7, 1981 , at 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Scott Johnson to a decision of the Board of Building Appeals concerning property located at 1418 - 1430 "I" Street.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** March, 1981, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-183

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 28-3-9 OF THE ZONING MAP (TIERRA SIERRA, INC.)

WHEREAS, the Modesto City Planning Commission held a public hearing on March 2, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 28-3-9 of the Zoning Map to rezone from a portion of P-D(119) to C-1, property located at 518 13th Street

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-68 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 28-3-9 of the Zoning Map be set for March 24, 1981, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain real property situate in a portion of the Southwest quarter of Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 25 and 26, Block 102 of the City of Modesto.

Including also all of the northeastern one-half of 13th Street and the southwestern one-half of the 20-foot wide alley immediately adjacent to the above described property.

SCHEDULE "A"

Tierra Sierra, Inc.

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 184

A RESOLUTION GRANTING APPROVAL TO JOAN L. AND ROBERT D. HUFF, DOING BUSINESS AS THE COUNCIL, FOR A "FAMILY KITE DAY" IN DOWNEY PARK IN THE CITY OF MODESTO ON SATURDAY, MARCH 29, 1981, SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, Joan L. and Robert D. Huff, doing business as The Council (and hereinafter referred to as Permittee) has filed a request with the Parks and Recreation Department for permission to use Downey Park on March 29, 1981, for a "Family Kite Day", and

WHEREAS, the City Council deems it appropriate to grant approval to Permittee for its "Family Kite Day" subject to certain conditions,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby approve the use of Downey Park for a "Family Kite Day", subject to the conditions hereinafter set forth:

1. Permittee may use Downey Park on March 29, 1981, from 12:00 noon to 5:00 pm for a "Family Kite Day", including the selling of kites, flying of kites, providing kite safety and flying information, the sale of soft drinks, hot dogs and candy by the McHenry Lions Club, and the anchoring of a hot air balloon in the baseball field.

a. The exact location of all booths and other facilities shall be subject to the approval of the Parks and Recreation Department.

b. The McHenry Lions Club shall obtain a City business license exemption certificate prior to the "Family Kite Day". Permittee shall be responsible for follow-up and coordination with them.

2. Permittee shall be responsible for the removal of all trash and debris from Downey Park which accumulates as a result of the "Family Kite Day" activities.

3. Permittee shall indemnify and hold harmless the City of Modesto, its officers, agents and employees from and against any and all costs, damages, injuries, liability or loss to persons or property which may arise out of or in any way be connected with the use of Downey Park, and any areas adjacent thereto, for the aforementioned "Family Kite Day" activities. Permittee is not required to indemnify or hold harmless the City of Modesto, its officers, agents and employees from any liability arising out of the ordinary and customary public use of Downey Park or areas adjacent thereto which use is not related in any way to the "Family Kite Day" activities.

4. Permittee agrees to provide and keep in force during the term of this agreement a policy of public liability insurance covering any and all claims for injuries to persons or property arising out of the "Family Kite Day" activities with combined single limits of Five Hundred Thousand and no/100ths ($500,000.00) Dollars per occurrence for bodily injury, sickness and disease, including death resulting therefrom, and Five Hundred Thousand and no/100ths ($500,000.00) Dollars for claims for property damage.

The policy of insurance so provided shall contain a contractual liability endorsement covering the liability assumed by Permittee under the terms of this resolution. Copies of the policy of insurance or certificates evidencing the same shall be filed with the City Clerk.

BE IT FURTHER RESOLVED that the City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall file a written acceptance of this resolution with the City Clerk, and no right shall be conferred hereby until said acceptance and the insurance required above is filed with the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-185

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RECREATION SYSTEMS, INC., TO FURNISH LANDSCAPE SERVICES FOR THE DESIGN AND DEVELOPMENT OF SCENIC EAST NEIGHBORHOOD PARK MASTER PLAN

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Recreation Systems, Inc.

for furnishing landscape services for the design and development of Scenic East Neighborhood Park Master Plan

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** March, 19**81**, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-186

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RECREATION SYSTEMS, INC., TO FURNISH LANDSCAPE SERVICES FOR THE DESIGN AND DEVELOPMENT OF ROBERTSON ROAD NEIGHBORHOOD PARK MASTER PLAN

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Recreation Systems, Inc.

for furnishing landscape services for the design and development of Robertson Road Neighborhood Park Master Plan

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** March, **19** 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-187

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND GEORGE NAZAR, AN INDIVIDUAL, AND ROXANNA MOMJIAN, AN INDIVIDUAL, FOR LEASE OF OFFICES AT 401 H STREET FOR THE HOUSING PROGRAM OFFICE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and George Nazar, an individual, and Roxanna Momjian, an individual **for** lease of offices at 401 H Street for the Housing Program Office

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** March, **19** 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-188

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOHN J. KENNEY FOR LEASE OF 6.8 ACRE PARK SITE IN CONJUNCTION WITH THE ADJOINING 11.1 ACRE SCHOOL SITE FOR FUTURE PELANDALE PARK SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and John J. Kenney for lease of 6.8 acre park site in conjunction with the adjoining 11.1 acre school site which he leases from the Salida School District for future Pelandale Park site, to expire October 31, 1981 **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** March, **19** 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-189

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, FOR A GRANT UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED. (NINE BUSES AND RELATED EQUIPMENT.)

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation projects, and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs, and

WHEREAS, it is required by the U. S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U. S. Department of Transportation requirements thereunder, and

WHEREAS, it is the goal of the Applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that:

1. That the City Manager of the City of Modesto is authorized to execute and file an application on behalf of the City of Modesto with the U. S. Department of Transportation, to aid in the financing of a capital assistance project in Fiscal Year 1980-81, pursuant to Section 5 of the Urban Mass Transportation Act of 1964, as amended.

2. That the City Manager of the City of Modesto is authorized to execute and file with such applications an assurance or any other document required by the U. S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

3. That Douglas J. Carmody, Director of Parking and Traffic, is authorized to furnish such additional information as the U. S. Department of Transportation may require in connection with the application or the project.

4. That the City Manager of the City of Modesto is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.

5. That the City Manager of the City of Modesto is authorized to execute grant contract agreements on behalf of the City of Modesto with the U. S. Department of Transportation for aid in the financing of a capital assistance project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March,

1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-190

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF WELL AT MANCINI PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of the well at Mancini Park

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on April 7, 1981, at 11:05 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** March, 19 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Acting Mayor Siefkin
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-191

A RESOLUTION ACCEPTING THE CONSTRUCTION OF ADDITION TO AND MODIFICATION OF FIRE PREVENTION BUREAU, 11TH AND F STREETS, AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of addition to and modification of the Fire Prevention Bureau, 11th and F Streets has been completed by Howell and Schmidt, Inc.

in accordance with the contract agreement dated August 5, 1980.

NOW, THEREFORE, BE IT RESOLVED that the construction of addition to and modification of Fire Prevention Bureau, 11th and F Streets be accepted from said contractor, Howell and Schmidt, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $72,666 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Acting Mayor Siefkin

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-192

A RESOLUTION ACCEPTING THE BID OF NORTH WEST CONSTRUCTION FOR CONSTRUCTION OF WATERLINE EXTENSION IN SCENIC BEND

WHEREAS, Resolution No.81-107, adopted by the Council of the City of Modesto on February 17, 1981 , approved the plans and specifications for the construction of waterline extension in Scenic Bend and authorized the calling for bids; and

WHEREAS, the bids received for the construction of waterline extension in Scenic Bend were opened at 11:15 a.m. on March 10, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of North West Construction in the amount of $5,211.50 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of North West Construction in the amount of $5,211.50 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March , 1981 , by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Acting Mayor Siefkin
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-193

A RESOLUTION ACCEPTING THE BID OF SCENIC SHELL SERVICE FOR ITEMS I AND II, TO PROVIDE TOWING SERVICE FOR CITY GOVERNMENT VEHICLES

WHEREAS, Resolution No. 81-84, adopted by the Council of the City of Modesto on February 10, 1981, approved the plans and specifications for the furnishing of towing service for City government vehicles and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of towing service for City government vehicles were opened at 2:00 p.m. on March 3, 1981, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Scenic Shell Service for Items I and II be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Scenic Shell Service for Items I and II be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Acting Mayor Siefkin
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-194

A RESOLUTION ACCEPTING THE BID OF RAMONT'S TOW SERVICE FOR ITEMS III AND IV, TO PROVIDE TOWING SERVICE FOR CITY GOVERNMENT VEHICLES

WHEREAS, Resolution No. 81-84, adopted by the Council of the City of Modesto on February 10, 1981 , approved the plans and specifications for the furnishing of towing service for City government vehicles and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of towing service for City government vehicles were opened at 2:00 p.m. on March 3, 1981 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Ramont's Tow Service for Items III and IV be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Ramont's Tow Service for Items III and IV be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March , 19 81, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Acting Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-195

A RESOLUTION ACCEPTING THE BID OF BEST CHEVROLET FOR ITEMS I AND III, FIVE COMPACTS AND ONE 3/4-TON PICKUP

WHEREAS, Resolution No.81-64 , adopted by the Council of the City of Modesto on February 3, 1981 , approved the plans and specifications for Items I and III, five compacts and one 3/4-ton pickup and authorized the calling for bids; and

WHEREAS, the bids received for Items I and III, five compacts and one 3/4-ton pickup were opened at 2:00 p.m. on February 24, 1981 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Best Chevrolet in the amount of $ 38,017.74 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Best Chevrolet in the amount of $ 38,017.74 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March , 1981 , by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Acting Mayor Siefkin
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-196

A RESOLUTION ACCEPTING THE BID OF G & W FORD FOR ITEM II, TWO LIGHT UTILITY TRUCKS

WHEREAS, Resolution No. 81-64, adopted by the Council of the City of Modesto on February 3, 1981, approved the plans and specifications for Item II, two light utility trucks and authorized the calling for bids; and

WHEREAS, the bids received for Item II, two light utility trucks were opened at 2:00 p.m. on February 24, 1981, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of G & W Ford in the amount of $13,321.53 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of G & W Ford in the amount of $13,321.53 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Acting Mayor Siefkin
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-197

A RESOLUTION ACCEPTING THE BID OF DOW HAMMOND FOR ITEM IV, ONE AERIAL LIFT TRUCK

WHEREAS, Resolution No. 81-64 , adopted by the Council of the City of Modesto on February 3, 1981 , approved the plans and specifications for Item IV, one aerial lift truck and authorized the calling for bids; and

WHEREAS, the bids received for Item IV, one aerial lift truck were opened at 2:00 p.m. on February 24, 1981 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Dow Hammond in the amount of $21,426.07 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Dow Hammond in the amount of $21,426.07 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March , 19 81, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Acting Mayor Siefkin
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-198

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF WHEELCHAIR RAMPS AT VARIOUS CITY PARKS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of wheelchair ramps at various City parks

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on April 7, 1981, at 11:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** March, **19** 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Acting Mayor Siefkin
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-199

A RESOLUTION APPROVING THE STANISLAUS COUNTY ARTS COMMISSION PROPOSED 1981 ARTS PLAN

WHEREAS, the Stanislaus County Board of Supervisors has designated the Stanislaus County Arts Commission as the administrative body to coordinate a county-wide arts plan being developed as part of the State/Local Partnership program which is sponsored and funded by the California Arts Council; and

WHEREAS, prior to submission, the plan must be approved by the city council of any city which has at least 20% of the total county population (in this county that is Modesto).

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that it does hereby approve the Stanislaus County Arts Commission Proposed 1981 Arts Plan, a copy of which is on file in the Office of the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-200

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY MICHAEL TEDESCO, MCHENRY STATION RESTAURANT, TO A DECISION OF THE BOARD OF ZONING ADJUSTMENT CONCERNING AMENDMENT TO AN H-1 USE PERMIT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 14, 1981 , at 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Michael Tedesco, McHenry Station Restaurant, to a decision of the Board of Zoning Adjustment concerning amendment to an H-1 Use Permit.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** March, 19 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Lang, Muratore, Patterson, Acting Mayor Siefkin

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-201

A RESOLUTION ESTABLISHING RENTAL RATES FOR CITY-OWNED AND CITY-RENTED GOLF CARTS AT THE DRYDEN PARK MUNICIPAL GOLF COURSE IN THE CITY OF MODESTO.

WHEREAS, the City of Modesto has purchased golf carts for use at the Dryden Park Municipal Golf Course, and

WHEREAS, the City of Modesto also rents golf carts for tournament use at the Dryden Park Municipal Golf Course, and

WHEREAS, the City Council of the City of Modesto is desirous of establishing rental rates for the use of said City-owned golf carts and rental rates for golf carts rented by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following rates are hereby established as rental rates for the use of City-owned golf carts at the Dryden Park Municipal Golf Course:

Regular Use

9 holes of golf	$ 6.00
18 holes of golf	$ 9.00

Tournament Use

For each 18 holes	$16.00

BE IT FURTHER RESOLVED by the Council that the following rate is hereby established as rental rate for the use at the Dryden Park Municipal Golf Course of golf carts rented by the City for tournament use:

Tournament Use

For each 18 holes	The cost to the City to rent the golf carts plus $3.00

BE IT FURTHER RESOLVED that Resolution No. 80-282 adopted by the Council on the 25th day of March, 1980, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Acting Mayor Siefkin

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 201

A RESOLUTION ESTABLISHING RENTAL RATES FOR CITY-OWNED AND CITY-RENTED GOLF CARTS AT THE DRYDEN PARK MUNICIPAL GOLF COURSE IN THE CITY OF MODESTO.

WHEREAS, the City of Modesto has purchased golf carts for use at the Dryden Park Municipal Golf Course, and

WHEREAS, the City of Modesto also rents golf carts for tournament use at the Dryden Park Municipal Golf Course, and

WHEREAS, the City Council of the City of Modesto is desirous of establishing rental rates for the use of said City-owned golf carts and rental rates for golf carts rented by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following rates are hereby established as rental rates for the use of City-owned golf carts at the Dryden Park Municipal Golf Course:

Regular Use

9 holes of golf	$ 6.00
18 holes of golf	$ 9.00

Tournament Use

For each 18 holes	$16.00

BE IT FURTHER RESOLVED by the Council that the following rate is hereby established as rental rate for the use at the Dryden Park Municipal Golf Course of golf carts rented by the City:

Tournament Use

For each 18 holes	$19.00

BE IT FURTHER RESOLVED that Resolution No. 80-282 adopted by the Council on the 25th day of March, 1980, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Acting Mayor Siefkin
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-202

A RESOLUTION ACCEPTING IMPROVEMENTS IN HOLLANDIA VILLAS SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Grant Construction Company , subdividers of Hollandia Villas Subdivision , have filed subdivision bonds for faithful performance and labor and materials in the amount of $ 740,200 and $ 370,100 respectively to guarantee improvements in Hollandia Villas Subd. ; and

WHEREAS, the Director of Public Works in a memorandum dated March 11, 1981 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the subdivision bonds upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Hollandia Villas Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the subdivision bond for faithful performance in the amount of $ 740,200 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the subdivision bond for labor and materials in the amount of $ 370,100 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March , 19 81 by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Acting Mayor Siefkin
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-203

A RESOLUTION ACCEPTING IMPROVEMENTS IN FIG GARDEN SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, CBC Development Co. and CW Development Company, subdividers of Fig Garden Subdivision, have filed subdivision bonds for faithful performance and labor and materials in the amount of $3,300.00 and $1,650.00 respectively to guarantee improvements in Fig Garden Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated March 5, 1981, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the subdivision bonds upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Fig Garden Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the subdivision bond for faithful performance in the amount of $3,300.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the subdivision bond for labor and materials in the amount of $1,650.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March, 1981 by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Acting Mayor Siefkin
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-204

A RESOLUTION ACCEPTING IMPROVEMENTS IN GREENWOOD ESTATES NO. 6 SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, Weeks Real Estate and Stewart and Jasper / Poultry Ranch, subdividers of Greenwood Estates No. 6 Subdivision, have filed Instruments of Credit for faithful performance and labor and materials in the amount of $106,100 and $53,050 respectively to guarantee improvements in Greenwood Estates No. 6; and

WHEREAS, the Director of Public Works in a memorandum dated March 5, 1981, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Instruments of Credit upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Greenwood Estates No. 6 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit for faithful performance in the amount of $106,100.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Instrument of Credit for labor and materials in the amount of $53,050.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March, 19 81 by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Acting Mayor Siefkin
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-205

A RESOLUTION ACCEPTING IMPROVEMENTS IN UNION SQUARE SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, Rule Enterprises , subdividers of , have filed Instruments of Credit for faithful performance and labor and materials in the amount of $ 63,800.00 and $ 31,900.00 respectively to guarantee improvements in Union Square Subd. ; and

WHEREAS, the Director of Public Works in a memorandum dated March 5, 1981 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Instruments of Credit upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Union Square Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit for faithful performance in the amount of $ 63,800.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Instrument of Credit for labor and materials in the amount of $31,900.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March , 19 81 by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Acting Mayor Siefkin
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-206

A RESOLUTION ACCEPTING IMPROVEMENTS IN HACIENDA VILLAS SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Richard H. & Inez E. Peterson, Bradley S. & Michele C. Peterson & / P & W Development, Inc., subdividers of Hacienda Villas Subd. , have filed subdivision bonds for faithful performance and labor and materials in the amount of $455,500.00 and $227,750.00 respectively to guarantee improvements in Hacienda Villas Subd. ; and

WHEREAS, the Director of Public Works in a memorandum dated March 10, 1981 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the subdivision bonds upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Hacienda Villas Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the subdivision bond for faithful performance in the amount of $ 455,500.00upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the subdivision bond for labor and materials in the amount of $227,750.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March , 1981 by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Acting Mayor Siefkin
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-207

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND W.P. WESSON, JR. TO LEASE 2.66± ACRES OF WESSON RANCH PARK SITE FOR FARMING PURPOSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and W.P. Wesson, Jr. to lease 2.66± acres of Wesson Ranch Park site for farming purposes

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** March, **19** 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Acting Mayor Siefkin
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-208

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED UNCLASSIFIED USE PERMIT TO BIG VALLEY GRACE COMMUNITY CHURCH

WHEREAS, the Modesto City Planning Commission held a public hearing on March 2, 1981, in the Council Chambers, City Hall, for the purpose of considering an unclassified use permit to the Big Valley Grace Community Church to expand the parochial school facilities and construct a new sanctuary, property located at the northeast corner of Columbine Drive and Standiford Avenue;

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-66 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed unclassified use permit of the Zoning Map be set for April 14, 1981, at 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed unclassified use permit / as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Acting Mayor Siefkin
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-209

A RESOLUTION DESIGNATING COUNCILMEMBER RICHARD LANG TO SERVE AS VICE MAYOR FOR THE ENSUING YEAR PURSUANT TO SECTION 603 OF THE CHARTER OF THE CITY OF MODESTO

BE IT RESOLVED by the Council of the City of Modesto that Councilmember Richard Lang is hereby designated to serve as Vice Mayor for the ensuing year pursuant to Section 603 of the Charter of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March, 1981, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Acting Mayor Siefkin
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-210

A RESOLUTION APPOINTING MEMBERS OF THE BOARD OF PERSONNEL APPEALS (LEVIO GHILOTTI, STANLEY FARROW AND LESLIE MAY)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following persons/ are hereby appointed to the Board of Personnel Appeals for the respective terms to be determined at a later date:

Levio Ghilotti
Stanley Farrow
Leslie May

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed members of the Board of Personnel Appeals and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: Patterson

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-211

A RESOLUTION APPOINTING MEMBERS OF THE HUMAN RELATIONS COMMISSION (PETE DUTTON, ALFONSO PELAYO, HELEN WHITE, JOSEPH VALENZUELA, MARGARET ZABEL, DAVID DILL, ERNEST GARCIA)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following persons/ are hereby appointed to the Human Relations Commission for the respective terms to be determined at a later date:

Pete Dutton	Joseph Velanzuela	Ernest Garcia
Alfonso Pelayo	Margaret Zabel	
Helen White	David Dill	

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Human Relations Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: Patterson

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-212

A RESOLUTION AUTHORIZING PURCHASE OF SIGN FOR THE ELEVENTH STREET GARAGE

WHEREAS, at their February 24, 1981 meeting, the City Council asked that informal bids be obtained for an identification sign and for an entrance-exit sign; and

WHEREAS, four local firms were contacted and only Sign Designs responded with a bid of $858 for an identification sign.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that it does hereby authorize the issuance of a purchase order to Sign Designs for an identification sign for the Eleventh Street garage.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-213

A RESOLUTION AUTHORIZING CITY MANAGER TO EXECUTE CONTRACT CHANGE ORDER ON CONSTRUCTION OF ELEVENTH STREET PARKING GARAGE

WHEREAS, the City of Modesto has contracted with the SMF Corporation to construct a downtown multi-level parking facility on 11th Street; and

WHEREAS, staff has found additional areas to be covered with graffiti-resistant coating and needs a sign base constructed by SMF Corporation; and

WHEREAS, staff recommends the contractor do the required work of adding the graffiti-resistant coating to additional areas, and construct a sign base for the identification sign.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto, that it does hereby authorize the City Manager to execute a contract change order to add graffiti-resistant coating to additional areas on the Eleventh Street parking garage and construct a sign base for the identification sign.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-214

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF ALLEYS IN CERTAIN BLOCKS IN THE CITY OF MODESTO (BLOCK 6706)

WHEREAS, Chapter 27 of Part 3 of Division 7 of Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the alley improvement work in each block has been initiated by the submission of a petition signed by property owners representing more than 60% of the property frontage on the alley listed below:

BLOCK	STREETS	LINEAL FEET
6706	Monte Carlo/Monte Verde - Hawthorne/ Monte Cristo	589

WHEREAS, the Superintendent of Streets did set the 10th day of March, 1981, at 7:30 p.m., in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work; and

WHEREAS, the Superintendent of Streets has caused notices to be posted and mailed as required by the Streets and Highways Code; and

WHEREAS, at the time set for hearing the protests and objections to the proposed work, the said Council proceeded to hear the same.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work as set forth in the notices which are attached hereto, and incorporated by reference herein, are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project as to the properties described in the attached notices in accordance with the provisions of Chapter 27, Part 3, of Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council

of the City of Modesto held on the 24th day of March, 1981, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle

NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-215

A RESOLUTION VACATING AND ABANDONING THE 6-FOOT PUBLIC WALKWAY IN BLOCKS 6113 AND 6114 BETWEEN GLENWOOD DRIVE AND PEARL STREET IN THE CITY OF MODESTO.

WHEREAS, the City Council of the City of Modesto adopted Resolution No. 81-140 on February 24. 1981, declaring its intention to vacate and abandon the 6-foot public walkway in Blocks 6113 and 6114 between Glenwood Drive and Pearl Street, in the City of Modesto, County of Stanislaus, State of California, which said resolution is hereby referred to and incorporated herein by such reference, and

WHEREAS, said Resolution of Intention set Tuesday, March 24, 1981, at 7:30 o'clock p.m., in the Council Chambers, 801 11th Street, Modesto, California, as the time and place for a hearing on said matter, and

WHEREAS, the City Clerk published the date, place and hour of the hearing of the proposed vacation, once each week for two (2) successive weeks prior to said hearing, in the Modesto Bee, the official newspaper of the City of Modesto, and

WHEREAS, the Director of Public Works of the City of Modesto has caused notices of said proposed alley vacation to be posted conspicuously along the line of the alley proposed to be vacated at least fourteen (14) days before the date of said hearing in the manner specified by law, and

WHEREAS, said hearing was held on Tuesday, the 24th day of March, 1981, at 7:30 o'clock p.m. in the Council Chambers, 801 11th Street, Modesto, California, at which time all persons interested in or objecting to the proposed vacation were afforded the opportunity to appear, and

WHEREAS, all things and acts necessary to be done as required by Division 9, Part 3, Chapter 3, of the Streets and Highways Code in order to vacate the 6-foot public walkway in Blocks 6113 and 6114 between Glenwood Drive and Pearl Street in the City of Modesto, County of Stanislaus, State of California, have been done and accomplished, and

WHEREAS, the Council finds and declares that said 6-foot public walkway in Blocks 6113 and 6114 between Glenwood Drive and Pearl Street in the City of Modesto is unnecessary for present or prospective walkway purposes and that the abandonment thereof is in the public interest for the following reasons:

1. The walkway has created a nuisance for adjacent property owners due to vandalism, debris, and property damage.

2. The walkway is not necessary to serve present or future pedestrian access needs in the area,

and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, the Council of the City of Modesto hereby orders and declares the vacation and abandonment of the 6-foot public walkway in Blocks 6113 and 6114 between Glenwood Drive and Pearl Street in the City of Modesto, County of Stanislaus, State of California, which is more particularly shown on the map entitled "Vacate & Abandon 6' Walkways bet. Glenwood Drive and Pearl Street - LD81-B" dated Feb. 6, 1981, and on file in the office of the City Clerk, and more particularly described on the attached Exhibit "A" which is hereby made a part hereof by such reference, subject to the following conditions:

1. That within ninety (90) days following final abandonment by the City Council the recipients of the abandoned area shall construct fencing across the Glenwood Drive and Pearl Street openings of the walkway at 15-foot building setback line, and shall relocate existing fences to incorporate the abandoned area into their adjacent yards.

2. That the entire width and length of the 6-foot walkway is retained as a public utility easement.

BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to the vacation and abandonment of the 6-foot public walkway in Blocks 6113 and 6114 between Glenwood Drive and Pearl Street, in the City of Modesto, County of Stanislaus, State of California.

BE IT FURTHER RESOLVED that the City Clerk shall cause a certified copy of this resolution, attested under the seal of the City, to be recorded in the office of the County Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ken Campbell
Public Works Department

VACATE AND ABANDON 6-FOOT WALKWAYS BETWEEN GLENWOOD DRIVE AND PEARL STREET

All that real property in the State of California, County of Stanislaus, City of Modesto, being a portion of the Northeast quarter of Section 19, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

PARCEL 6113-1

Beginning at the Southeastern corner of Lot 10 in Block 6113 of the FREMONT PARK Subdivision, as per map filed December 14, 1954 in Volume 18 of Maps, Page 13, Stanislaus County Records; thence along the Eastern line of said Lot 10, North 00° 54' 40" East, 116.06 feet, to the Northeastern corner of Lot 10; thence along the Easterly prolongation of the Northern line of Lot 10, South 89° 05' 20" East, 6.00 feet, to the Northwestern corner of Lot 1 in Block 6114 of said Fremont Park; thence along the Western line of said Lot 1, South 00° 54' 40" West, 116.06 feet, to the Southwestern corner of Lot 1, said corner being on the Northern line of 60.00 foot Pearl Street; thence along said Northern line of Pearl Street, North 89° 05' 20" West, 6.00 feet, to the point of beginning.

Reserving all of the above as a Public Utilities Easement.

PARCEL 6113-2

Beginning at the Southeastern corner of Lot 11 in Block 6113 of the GLENWOOD PARK Subdivision, as per map filed April 28, 1955 in Volume 18 of Maps, Page 22, Stanislaus County Records; thence along the Eastern line of said Lot 11, North 00° 54' 40" East, 91.86 feet, to the Northeastern corner of Lot 11, said corner being on the Southern line of 60.00 foot Glenwood Drive; thence along said Southern line of Glenwood Drive, South 89° 05' 20" East, 6.00 feet, to the Northwestern corner of Lot 21 in Block 6114 of said Glenwood Park; thence along the Western line of said Lot 21, South 00° 54; 40" West, 91.86 feet, to the Southwestern corner of Lot 21; thence along the Westerly prolongation of the Southern line of Lot 21, North 89° 05' 20" West, 6.00 feet, to the point of beginning.

Reserving all of the above as a Public Utilities Easement.

Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 216

A RESOLUTION VACATING AND ABANDONING THE 10-FOOT ALLEY IN BLOCK 603 LOCATED SOUTH OF EAST MORRIS AVENUE, WEST OF JOHN MUIR COURT IN THE CITY OF MODESTO.

WHEREAS, the City Council of the City of Modesto adopted Resolution No. 81-139 on February 24, 1981, declaring its intention to vacate and abandon the 10-foot alley in Block 603 located south of East Morris Avenue, West of John Muir Court in the City of Modesto, County of Stanislaus, State of California, which said resolution is hereby referred to and incorporated herein by such reference, and

WHEREAS, said Resolution of Intention set Tuesday, March 24, 1981, at 7:30 o'clock p.m., in the Council Chambers, 801 11th Street, Modesto, California, as the time and place for a hearing on said matter, and

WHEREAS, the City Clerk published the date, place and hour of the hearing of the proposed vacation, once each week for two (2) successive weeks prior to said hearing, in the Modesto Bee, the official newspaper of the City of Modesto, and

WHEREAS, the Director of Public Works of the City of Modesto has caused notices of said proposed alley vacation to be posted conspicuously along the line of the alley proposed to be vacated at least fourteen (14) days before the date of said hearing in the manner specified by law, and

WHEREAS, said hearing was held on Tuesday, the 24th day of March, 1981, at 7:30 o'clock p.m. in the Council Chambers, 801 11th Street, Modesto, California, at which time all persons interested in or objecting to the proposed vacation were afforded the opportunity to appear, and

WHEREAS, all things and acts necessary to be done as required by Division 9, Part 3, Chapter 3, of the Streets and Highways Code in order to vacate the 10-foot alley in Block 603 located south of East Morris Avenue, west of John Muir Court in the City of Modesto, County of Stanislaus, State of California, have been done and accomplished, and

WHEREAS, the Council finds and declares that said 10-foot alley in Block 603 located south of East Morris Avenue, West of John Muir Court, in the City of Modesto is unnecessary for present or prospective alley purposes and that the abandonment thereof is in the public interest for the following reasons:

1. The alley has not been widened to a standard width or improved and it "dead ends" into a cemetery which precludes any extension.

2. The alley right-of-way has been landscaped with turf and trees in conjunction with adjacent T. B. Scott Park.

3. The alley is not needed to serve present or future traffic or service needs in the area.

4. Access to existing utility lines located in the alley can be provided by retention of the entire length and width of the alley as a public utility easement, and

WHEREAS, the City Council certifies that it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby orders and declares the vacation and abandonment of the 10-foot alley in Block 603 located south of East Morris Avenue, west of John Muir Court in the City of Modesto, County of Stanislaus, State of California, which is more particularly

shown on the map entitled "Vacate & Abandon the 10-foot Alley Adjacent to T. B. Scott Park in Block 603 - LD81-C" dated February 9, 1981, and on file in the office of the City Clerk, and more particularly described on the attached Exhibit "A" which this reference is made a part hereof as though set forth in full herein, subject to the following condition:

The entire length and width of the 10-foot alley is retained as a public utility easement.

BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project.

BE IT FURTHER RESOLVED that the City Clerk shall cause a certified copy of this resolution, attested under the seal of the City, to be recorded in the office of the County Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION: Ken Campbell
Public Works Department

VACATE AND ABANDON THE 10-FOOT ALLEY ADJACENT TO T.B. SCOTT PARK IN BLOCK 603

All that real property in the State of California, County of Stanislaus, City of Modesto, being a portion of the Northeast quarter of Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Southwestern corner of Lot 7 in Block 606 of the JOHN MUIR TRACT, as per map filed April 15, 1938 in Volume 11 of Maps, Page 41, Stanislaus County Records, said corner being the Southeastern corner of Block 603 of the CITY OF MODESTO, as per map filed March 18, 1920, in Volume 10 of Maps, Stanislaus County Records; thence along the Southern line of said Block 603, South 89° 55' West, 10.00 feet, to the Southeastern corner of Lot 12, in said Block 603 of the City of Modesto; thence along the Eastern line of Lots 12, 11, 10, 9,8,7,6,5,4,3,2 and 1 in said Block 603 of the City of Modesto, North 00° 57' West, 298.70 feet, to the Northeastern corner of said Lot 1 in Block 603, said corner being on the Southern line of 60.00 foot Morris Avenue East; thence along said Southern line of Morris Avenue East, East, 10.00 feet, to the Northwestern corner of Lot 5 in Block 606 of said John Muir Tract; thence along the Western line of Lots 5, 6 and 7 in said Block 606 of the John Muir Tract, South 00° 57' East, 298.69 feet, to the point of beginning.

Reserving all of the above as a Public Utilities Easement.

Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 81-217

A RESOLUTION DENYING THE APPEAL FILED BY ROBERT CARDOZA FOR AN AMENDMENT TO SECTION 27-3-9 OF THE ZONING MAP TO REZONE FROM MEDIUM DENSITY RESIDENTIAL ZONE, R-2, TO PLANNED DEVELOPMENT ZONE, P-D, PROPERTY LOCATED ON THE WEST SIDE OF SUNNYSIDE AVENUE, SOUTH OF LUCERN AVENUE, IN THE CITY OF MODESTO.

WHEREAS, a verified application for an amendment to Section 27-3-9 of the Zoning Map was filed by Robert Cardoza on December 30, 1980, to reclassify from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D, property located on the west side of Sunnyside Avenue, south of Lucern Avenue described as follows:

> Lots 6, 11 and 14 of Sunnyside Acres, according to the Official Map thereof, filed in the Office of Records of Stanislaus County, California, on May 24, 1911, in Volume 5 of Maps at Page 45,

and

WHEREAS, said application was set for public hearing before the Planning Commission at its regular meeting of February 2, 1981, and continued to February 17, 1981, in the City Council Chambers in the City Hall, 801 11th Street, Modesto, California, and

WHEREAS, at said continued hearing on February 17, 1981, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 81-48, denied the requested amendment to Section 27-3-9 of the Zoning Map to rezone from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D, the property described above located on the west side of Sunnyside Avenue, south of Lucern Avenue in the City of Modesto for the following reasons:

1. The Zoning and Development Plan for the Sunnyside-Brighton Area, adopted by the City Council on August 26, 1980, calls for R-2 housing densities in the interior of this area rather than the R-3 densities of this proposal.

2. This parcel is served only by 50-foot residential streets. In most cases, R-3 densities need direct major or collector street access,

and

WHEREAS, an appeal was filed with the City Clerk of the City of Modesto by a letter dated February 25, 1981, from Robert Cardoza, to the decision of the Planning Commission denying his application to reclassify from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D, the property hereinabove described, located on the west side of Sunnyside Avenue, south of Lucern Avenue, and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, at 7:30 o'clock p.m. on Tuesday, March 24, 1981, and

WHEREAS, at said meeting, said Council, after hearing evidence both oral and documentary, found and determined that the appeal filed by Robert Cardoza to the decision of the Planning Commission denying rezoning from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D, the property hereinabove described located on the west side of Sunnyside Avenue, south of Lucern Avenue in the City of Modesto should be denied for the reasons set forth in Planning Commission Resolution No. 81-48, and quoted above, and that the decision of the Planning Commission denying the requested rezoning should be affirmed, and

WHEREAS, the City Council at said Council meeting reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed rezoning,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by Robert Cardoza to the decision of the Planning Commission, as set forth in Planning Commission Resolution No. 81-48 denying rezoning from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D, the above described property, located on the west side of Sunnyside Avenue, south of Lucern Avenue, in the City of Modesto, be denied, for the reasons set forth in Planning Commission Resolution No. 81-48, quoted above, and the decision of the Planning Commission denying the requested rezoning is hereby affirmed.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed rezoning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-218

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (297).

WHEREAS, a verified application for an amendment to Section 31-3-9 of the Zoning Map was filed by Joaquin Construction Company c/o Design Concepts on December 29, 1980, to reclassify from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D, the following described property:

ALL that portion of the Southwest Quarter of Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the Southeast corner of Parcel B as shown on the map recorded in Book 27 of Parcel Maps at Page 22, Stanislaus County Records; thence North 0°51' West on the east line of Parcel B 1033.68 feet to the northeast corner of Parcel B; thence South 89°55' West on the north line of said Parcel B 363.00 feet to the northwest corner of Parcel B; thence continuing South 89°55' West, 260.01 feet to the East line of present 90 foot wide Carpenter Road; thence South 0°51' East on the east line of said Carpenter Road 1020.32 feet to the beginning of a curve concave to the northeast having a radius of 15.00 feet and a central angle of 89°22'10"; thence southeasterly on the arc of said curve 23.40 feet to a point 30.00 feet north of the present centerline of Houser Lane; thence North 89°46'50" East 30.00 feet north of and parallel with the centerline of Houser Lane 245.16 feet to the southwest corner of said Parcel B; thence continuing North 89°46'50" East on the north line of said Houser Lane 363 feet to the point of beginning.

Including also the North one-half of Houser Lane and the East 70.00 feet of Carpenter Road immediately adjacent to the above described property.

WHEREAS, after public hearing held on February 17, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed overall dwelling unit density falls easily within the limits called for in the Urban Area General Plan.

2. The subdivision design is good, providing favorable street orientation for energy concerns as well as traffic circulation and capacity.

3. While the development appears as a less than minimum standard subdivison, this P-D Zone provides the advantage of privacy constraints and superior fencing which straight R-1 subdivision does not provide and also the alternative of patio home availability without costly Homeowner Association assessments and possible future adjoining property right conflicts.

WHEREAS, after a public hearing held on March 24, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Joaquin Construction Company c/o Design Concepts for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2026-C.S. on the 24th day of March, 1981, reclassifying the above-described property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D (297).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(297) is hereby approved subject to the following conditions:

1. The applicant shall submit revised plot plans showing all changes required by the Planning Commission prior to the City Council hearing. All development shall conform to these revised plans as amended in red, stamped approved by the Planning Commission on February 17, 1981.

2. Fencing shall be constructed prior to occupancy and shall be as follows:

   a. 7 foot decorative masonry wall along Carpenter Road.

   b. 7 foot solid wall or fence around all patios.

3. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. All utilities shall be underground and cable television service shall be stubbed into all units.

5. All signs shall comply with the sign requirements of the R-1 Zone.

6. Prior to the issuance of a building permit for any structure, a subdivision map shall be recorded.

7. The applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. Hydrants shall be installed and operable prior to construction of any structures.

8. Frontyard landscaping and underground irrigation systems shall be installed prior to occupancy.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (297):

The entire construction program shall be accomplished in one phase, construction to begin on or before January 1, 1981, and completion to be not later than January 1, 1985.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (297) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: Elliott, Lang, Patterson

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Michael C. Herrera
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-219

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 31-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (JOAQUIN CONSTRUCTION COMPANY c/o DESIGN CONCEPTS)

WHEREAS, on March 24, 19 81, **the City Council** introduced Ordinance No. 2026 - C. S. **giving approval to a project relating to** an amendment to Section Map 31-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(297), **and**

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 31-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(297).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: Elliott, Lang, Patterson

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-220

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 7-4-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (DE ROUSI & HANSEN)

WHEREAS, on March 24, 1981, **the City Council** introduced Ordinance No. 2027 - C. S. **giving approval to a project relating to** an amendment to Section Map 7-4-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, **and**

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 7-4-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 221

A RESOLUTION GRANTING AN UNCLASSIFIED USE PERMIT TO THE ORANGEBURG BAPTIST CHURCH FOR UTILIZATION OF CHURCH FACILITIES FOR A PAROCHIAL SCHOOL ON ITS PROPERTY LOCATED AT THE NORTHWEST CORNER OF E. ORANGEBURG AVENUE AND NELSON AVENUE IN THE CITY OF MODESTO.

WHEREAS, a verified application for an Unclassified Use Permit to allow utilization of church facilities for a parochial school for a maximum of 150 students serving kindergarten through the sixth grade on property located at the northwest corner of E. Orangeburg Avenue and Nelson Avenue in the City of Modesto was filed by the Orangeburg Baptist Church on January 14, 1981, and

WHEREAS, Article 14 and Article 21 of Title X of the Modesto Municipal Code establishes the requirement and the procedure for obtaining Unclassified Use Permits for educational institutions, and

WHEREAS, said application was set for public hearing before the Planning Commission on February 17, 1981, in the Council Chambers located in the City Hall, 801 - 11th Street in the City of Modesto, and

WHEREAS, thereafter, upon the evidence, both oral and documentary, taken and introduced at said hearing, the Planning Commission adopted Resolution No. 81-52, recommending to the Council that an Unclassified Use Permit be granted to The Orangeburg Baptist Church for utilization of church facilities for a parochial school for a maximum of 150 students serving kindergarten through sixth grade on its property located at the northwest corner of E. Orangeburg Avenue and Nelson Avenue in the City of Modesto, for the following reasons:

1. The applicant proposes to utilize church facilities which conform to all building and fire code requirements for the use proposed.

2. The proposed parochial school is compatible with the existing and potential land uses in the vicinity.

3. School use of the church constitutes efficient weekday use of otherwise underutilized facilities,

and

WHEREAS, said matter was set for public hearing before the Council of the City of Modesto in the Council Chambers located in the City Hall, 801 11th Street, Modesto, California, at 7:30 oc'lock p.m. on March 24, 1981, and

WHEREAS, the Council certifies it has received and reviewed the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration of environmental impact of the subject Unclassified Use Permit, and

WHEREAS, said hearing was held before the Council on March 24, 1981, at the above time and place, and evidence, both oral and documentary, was taken and introduced at said hearing, and the Council found and determined that the granting of an Unclassified Use Permit to The Orangeburg Baptist Church for utilization of church facilities for a parochial school for a maximum of 150 students serving kindergarten through the sixth grade on its property located at the northwest corner of E. Orangeburg Avenue and Nelson Avenue in the City of Modesto is required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 81-52, and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that an Unclassified Use Permit be granted to The Orangeburg Baptist Church for utilization of church facilities for a parochial school for a maximum of 150 students serving kindergarten through the sixth grade on its property located at the northwest

corner of E. Orangeburg Avenue and Nelson Avenue in the City of Modesto, subject to the following conditions:

1. That the private school shall serve a maximum of 150 students in grades K through 6.

2. That the school be allowed one (1) freestanding unlighted sign a maximum of 25 square feet and six (6') feet high.

3. That all conditions of Board of Zoning Adjustment Resolution No. 881 adopted August 16, 1979, shall remain in full force and effect.

BE IT FURTHER RESOLVED that failure to comply with the conditions set forth above shall constitute grounds for revocation of this Unclassified Use Permit.

BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-222

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (325 MAZE BOULEVARD- MARY BIANCO - $1,910)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on May 22, 19 78, adopt its Resolution No. 78-528, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, March 24, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,910.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $191.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 and 2 of Block 420 of City of Modesto as per map filed 12/21/42 in Vol. 15 of Maps, Pg. 420, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 101-0532-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven / (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-223

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 28-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON (TIERRA SIERRA, INC.)

WHEREAS, on March 24, 19 81, the City Council introduced Ordinance No. 2029 - C. S. giving approval to a project relating to an amendment to Section Map 28-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from a portion of Planned Development Zone, P-D(119) to Neighborhood Commercial Zone, C-1, , and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 28-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from a portion of Planned Development Zone, P-D(119) to Neighborhood Commercial Zone, C-1 .

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-224

A RESOLUTION ACCEPTING THE BID OF B & L BUILDERS FOR THE CONSTRUCTION OF WATER AUTOMATION CONTROL BUILDING

WHEREAS, Resolution No. 81-111, adopted by the Council of the City of Modesto on February 17, 1981 , approved the plans and specifications for the construction of water automation control building and authorized the calling for bids; and

WHEREAS, the bids received for the construction of water automation control building were opened at 11:10 a.m. on March 10, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of B & L Builders in the amount of $58,500 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of B & L Builders in the amount of $58,500 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March , 19 81 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	Elliott
ABSENT:	Councilmembers:	Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-225

A RESOLUTION ACCEPTING THE BID OF LEE WHITE PAVING CO. FOR RECONSTRUCTION OF RESIDENTIAL ALLEYS - PROJECT NO. 8

WHEREAS, Resolution No. 81-108, adopted by the Council of the City of Modesto on February 17, 1981, approved the plans and specifications for the reconstruction of residential alleys - Project No. 8 and authorized the calling for bids; and

WHEREAS, the bids received for the reconstruction of residential alleys - Project No. 8 were opened at 11:00 a.m. on March 10, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Lee White Paving Co. in the amount of $21,105.95 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Lee White Paving Co. in the amount of $21,105.95 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-226

A RESOLUTION ACCEPTING THE CONSTRUCTION OF BEARD BROOK PARK PARKING AREA - CHILDREN'S PARK - BLOCK 225 AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** Beard Brook Park parking area - Children's Park - Block 225 **has been completed by** Lee White Paving Company

in accordance with the contract agreement dated December 9, 1980.

NOW, THEREFORE, BE IT RESOLVED that the construction of Beard Brook Park parking area - Children's Park - Block 225 **be accepted from said contractor,** Lee White Paving Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $16,470.76 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** March, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-227

A RESOLUTION REJECTING ALL BIDS FOR THE INSTALLATION OF WATER AUTOMATION INSTRUMENTATION AND CONTROL WORK, AND OPENED IN THE OFFICE OF THE CITY CLERK ON MARCH 10, 1981, AT 11:05 A.M.

WHEREAS, Resolution No. 81-109,adopted by the Council of the City of Modesto on February 17, 1981, approved the plans and specifications for installation of water automation instrumentation and control work, and authorized the call for bids; and

WHEREAS, the bids received for the installation of water automation instrumentation and control work were opened at 11:05 a.m. on March 10, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, Diablo Control Co. submitted the sole bid for $73,232, which is 162% above the engineer's estimate and is considered unacceptable; and

WHEREAS, it is recommended by staff that the bid be rejected and the project be rebid after the staff reviews and re-evaluates the project with the consultant.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all bids received for the installation of water automation instrumentation and control work and opened in the office of the City Clerk on March 10, 1981, are hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-228

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF AERIAL LIFT REPAIR SERVICES FROM MOBILE HYDRAULIC EQUIPMENT COMPANY, INC.

WHEREAS, because the services performed by Mobile Hydraulic Equipment, Inc. is considered a specialized skill and because specifications for such a repair is undesirable or impossible, it is the recommendation of staff that formal bid procedures be waived and Council authorize the purchase of repair services from the firm for the total price of $6,553.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of aerial lift repair services is hereby waived.

BE IT FURTHER RESOLVED that purchase of aerial lift repair services from Mobile Hydraulic Equipment Company, Inc. in the amount of $6,553 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-229

A RESOLUTION ACCEPTING THE BID OF APPLIED MICROFILM SYSTEMS, INC. FOR FURNISHING ONE MICROFILM DUPLICATOR FOR MANAGEMENT SERVICES

WHEREAS, Resolution No.81-105, adopted by the Council of the City of Modesto on February 17, 1981 , approved the plans and specifications for the purchase of one microfilm duplicator for Management Services and authorized the calling for bids; and

WHEREAS, the bids received for the purchase of one microfilm duplicator for Management Services were opened at 2:05 p.m. on March 10, 1981 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Applied Microfilm Systems, Inc. in the amount of $13,774.70 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Applied Microfilm Systems, Inc. in the amount of $13,774.70 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March , 1981 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-230

A RESOLUTION ACCEPTING THE BID OF MODESTO FORM TRACTOR, INC. FOR FURNISHING ONE DIESEL TRACTOR

WHEREAS, Resolution No. 81-87, adopted by the Council of the City of Modesto on February 10, 1981 , approved the plans and specifications for the purchase of one diesel tractor

and authorized the calling for bids; and

WHEREAS, the bids received for the purchase of one diesel tractor

were opened at 2:00 p.m. on March 10, 1981 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Modesto Ford Tractor, Inc. in the amount of $15,017.02

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Modesto Ford Tractor, Inc. in the amount of $15,017.02

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March , 1981 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-231

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY ERNEST SETLIFF, SETLIFF BROS., TO A DECISION OF THE BOARD OF ZONING ADJUSTMENT CONCERNING A CONDITIONAL USE PERMIT, PROPERTY LOCATED AT 7TH STREET AND TUOLUMNE BOULEVARD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 21, 1981 , at 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Ernest Setliff Bros., to a decision of the Board of Zoning Adjustment concerning a Conditional Use Permit, property located at 7th Street and Tuolumne Boulevard.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** March, 19 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-232

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND AIRPORT GARBAGE COMPANY FOR THE CITY TO PROVIDE BILLING AND COLLECTION SERVICE FOR THEIR RESIDENTIAL ACCOUNTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Airport Garbage Company **for** the City to provide billing and collection service for their residential accounts **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** March, 1981, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-233

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DODSON AND YOUNG FOR ENGINEERING SERVICES NECESSARY TO PERFORM TWO VALUE ENGINEERING WORKSHOPS AND A SPECIFICATION REVIEW OF THE WATER QUALITY CONTROL PLANT EXPANSION PLANS AND SPECIFICATIONS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Dodson and Young for engineering services necessary to perform two value engineering workshops and a specification review of the Water Quality Control Plant expansion plans and specifications, as a condition of the Clean Water Grants Program **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** March, 1981, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-234

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CANTEEN CORPORATION FOR VENDING MACHINES MAINTAINED IN VARIOUS CITY LOCATIONS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Canteen Corporation

for vending machines maintained in various City locations

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** March, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-235

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR WOODLAND-BENNETT ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for Woodland-Bennett Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City MODESTO

2. Name of Proposed Annexation WOODLAND-BENNETT

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

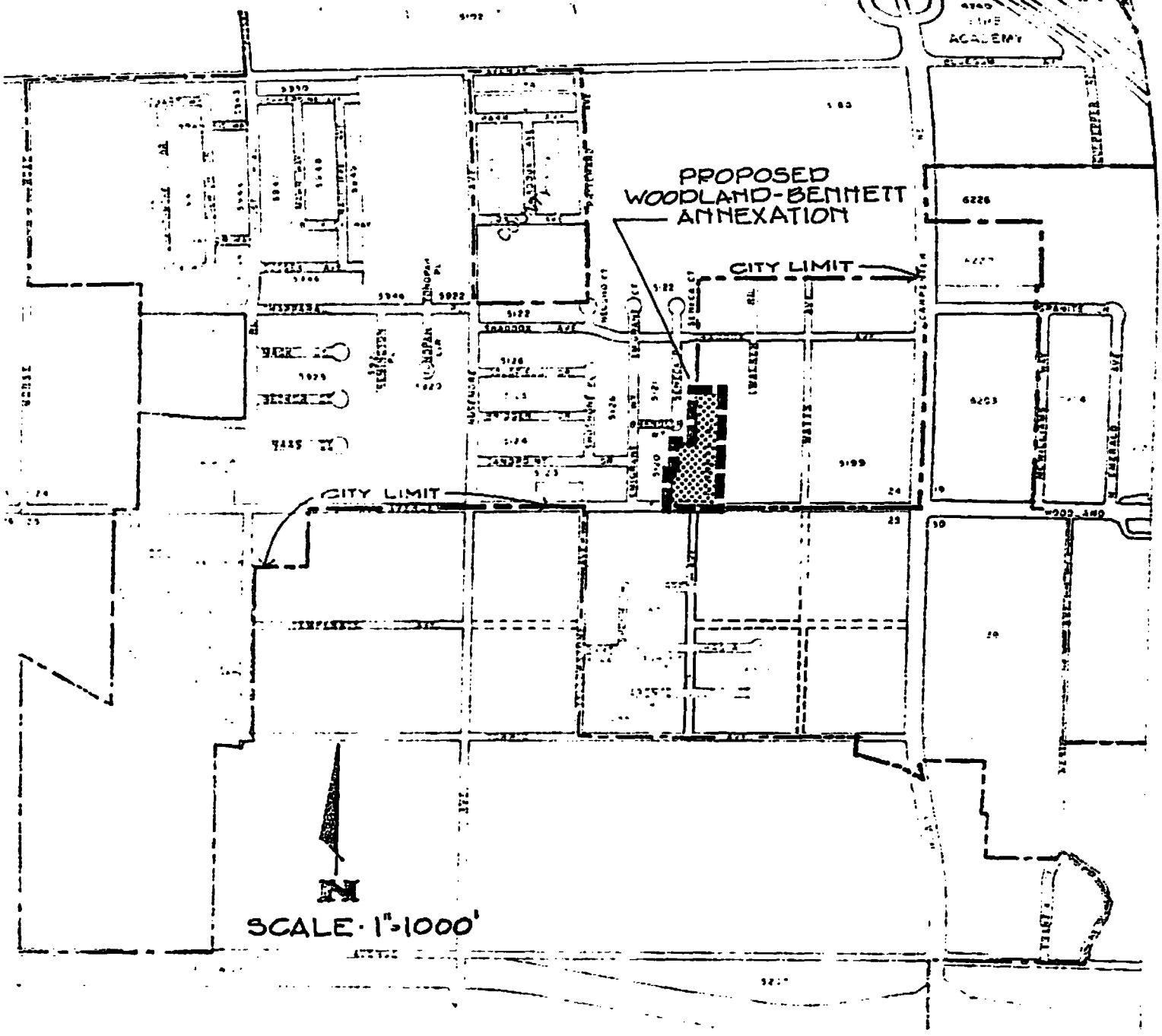
YES

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

NO

5. Other comments the city would like to make.

NONE



PROPOSED WOODLAND-BENNETT ANNEXATION

TO THE CITY OF MODESTO

MODESTO CITY COUNCIL
RESOLUTION NO. 81-236

A RESOLUTION AMENDING THE HOUSING AND MAINTENANCE PROGRAM GUIDELINES ESTABLISHED BY RESOLUTION NO. 76-566 AND PREVIOUSLY AMENDED BY RESOLUTIONS NO. 76-1168, 77-802 AND 77-1285.

WHEREAS, the City of Modesto has established a Housing Maintenance Program to provide loans and grants for housing rehabilitation in designated areas of the city, and

WHEREAS, by Resolution No. 76-566, the City Council established guidelines for the approval of loans and grants by the Rehabilitation Loan Pool Subcommittee of the Citizens Housing and Community Development Committee, and

WHEREAS, by Resolutions No. 76-1168, 77-802, and 77-1285 the Council has previously amended said guidelines, and

WHEREAS, the Council desires to further amend said guidelines to establish criteria for loans bearing an interest rate of 10% per annum,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the guidelines set forth in Resolution No. 76-566, as previously amended by Resolutions No. 76-1168, 77-802 and 77-1285, are hereby amended to read as follows:

1. Grants may not exceed a maximum of $2,500.00 per dwelling unit.

2. Any proposed grant in excess of $2,500.00 shall be approved by the Citizens Housing and Community Development Committee.

3. Grants shall be limited to small amounts and exceptional hardship cases.

4. Loans for residential repairs to non-residential structures shall be made only where such repairs will benefit the general appearance and assist in the upgrading of the neighborhood, and only when approved by the Citizens Housing and Development Committee and the City Council.

5. Deferred payment loans shall be made only to owners who are occupants of the affected property, have an income which does not exceed 50% of the median area income, and who are 62 years of age or older. A waiver of the age requirement may be granted by the Rehabilitation Loan Pool Subcommittee upon a showing of disability, or other extenuating circumstances, which limits current current and future income.

6. A loan bearing interest at 3% per annum may be granted to an owner who is an occupant of the affected property and who is not eligible for a deferred payment loan.

7. A loan bearing interest at 5% per annum may be granted to an owner who is not an occupant of the affected property, and whose income does not exceed 120% of the median area income, or who agrees to make the property available to "Section 8" tenants for the period of the loan. A loan bearing interest at 10% per annum may be granted to all other owners of property in the area being rehabilitated.

8. The Chairperson of the Rehabilitation Loan Pool Subcommittee is hereby designated as the person to sign forms indicating that direct loans and grants have been authorized and that funds are to be disbursed under said program.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 24th day of March, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded

by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-237

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO P-D(263) - RULE ENTERPRISES

WHEREAS, the Modesto City Planning Commission held a public hearing on March 16, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to P-D(263), property located at the southeast corner of Blue Gum Avenue and Morse Road to allow a combination two-story apartment complex and a zero lot line patio home subdivision;

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-73 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to P-D(263) of the Zoning Map be set for April 14, 1981, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-238

A RESOLUTION GRANTING THE APPEAL FILED BY SIDNEY C. ROGERS TO THE DECISION OF THE PLANNING COMMISSION DENYING AN AMENDMENT TO SECTION 27-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO TO REZONE FROM MEDIUM DENSITY RESIDENTIAL ZONE, R-2, AND NEIGHBORHOOD COMMERCIAL ZONE, C-1, TO PLANNED DEVELOPMENT ZONE, P-D(300); APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(300); AND OVERRULING THE DECISION OF THE PLANNING COMMISSION.

WHEREAS, a verified application to amend Section 27-3-9 of the Zoning Map was filed by Sidney and Mary Rogers on January 2, 1981, to reclassify from Medium Density Residential Zone, R-2, and Neighborhood Commercial Zone, C-1, to Planned Development Zone, P-D, to allow for expansion of an existing nursery, property located on the north side of Scenic Drive east of Coffee Road described as follows:

R-2 to P-D

Lot 29 as shown on that certain map entitled "SUNNYSIDE ACRES" filed in the Office of the County Recorder of Stanislaus County on May 24, 1911, in Volume 5 of Maps, page 45.

Including also all of the north one-half of Scenic Drive immediately adjacent to the above described property.

C-1 to P-D

Lot 28 as shown on that certain map entitled "SUNNYSIDE ACRES" filed in the Office of the County Recorder of Stanislaus County on May 24, 1911, in Volume 5 of Maps, page 45.

Including also all of the north one-half of Scenic Drive immediately adjacent to the above described property,

and

WHEREAS, said application was set for a public hearing before the Planning Commission on February 2, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and

WHEREAS, thereafter the Planning Commission adopted Resolution No. 81-44 denying an amendment to Section 27-3-9 of the Zoning Map to reclassify from Medium Density Residential Zone, R-2, and Neighborhood Commercial Zone, C-1, to

Planned Development Zone, P-D(300) the above described property, as requested by the applicants, and

WHEREAS, an appeal was filed by Sidney C. Rogers with the City Council by a letter dated February 3, 1981, to the decision of the Planning Commission denying an amendment to Section 27-3-9 of the Zoning Map to rezone from Medium Density Residential Zone, R-2, and Neighborhood Commercial Zone, C-1, to Planned Development Zone, P-D(300) to allow for expansion of an existing nursery on property located on the north side of Scenic Drive east of Coffee Road in the City of Modesto, described above, and

WHEREAS, said appeal was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, at 4:00 o'clock p.m. on March 3, 1981, and thereafter continued to March 10, 1981, at 7:30 o'clock p.m. and then to April 4, 1981, at 4:00 o'clock p.m., at which times evidence both oral and documentary was taken and introduced, and

WHEREAS, the City Council certifies it has received and reviewed the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project, and

WHEREAS, after said public hearing, the Council of the City of Modesto found and determined that the rezoning as requested by Sidney and Mary Rogers to amend Section 27-3-9 of the Zoning Map to reclassify the above described property from Medium Density Residential Zone, R-2, and Neighborhood Commercial Zone, C-1, to Planned Development Zone, P-D(300) should be granted for the reasons set forth below

1. The P-D will allow orderly expansion of an existing use.

2. The P-D plan insures coordination of the nursery's expansion and widening of Scenic Drive.

3. The P-D plan and conditions of approval will insure a degree of compatibility consonant with surrounding properties,

and

WHEREAS, at its meeting held on April 7, 1981, the Council has introduced Ordinance No. 2032 -C. S. reclassifying the above-described property from Medium Density Residential Zone, R-2, and Neighborhood Commercial Zone, C-1, to Planned Development Zone, P-D(300),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. APPEAL GRANTED. The appeal filed by Sidney C. Rogers to the decision of the Planning Commission denying the request for an amendment to Section 27-3-9 of the Zoning Map to reclassify the above described property from Medium Density Residential Zone, R-2, and Neighborhood Commercial Zone, C-1, to Planned Development Zone, P-D(300) is granted for the reasons set forth above, and the decision of the Planning Commission denying said rezoning is hereby overruled.

SECTION 2. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(300) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plans titled "Proposed Nursery Expansion, Scenic Nursery", as amended in red, stamped approved by the City Council on April 7, 1981.

2. Fencing shall be constructed as follows:

   6-foot board fence with decorative masonry pilasters along the easterly boundary of Phase III.

3. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. All signs shall comply with the sign requirements of the C-1 Zone.

5. Prior to the issuance of a building permit for Phase II, a landscaping and irrigation plan for the planter along Scenic and the new parking lot shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code.

SECTION 3. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned Development Zone, P-D(300):

Phase I. Start on or before May 1, 1982, and be completed by May 1, 1983.

Phase II. Start on or before May 1, 1985, and be completed by May 1, 1986.

Phase III. Start on or before May 1, 1988, and be completed by May 1, 1989.

SECTION 4. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 5. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 6. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned Development Zone, P-D(300) becomes effective.

SECTION 7. ENVIRONMENTAL IMPACT. The Secretary of the Planning Commission is hereby directed to file with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Department of Planning and
Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-239

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND SIDNEY C. AND MARY E. ROGERS AND D.V. TAYLOR FOR ACQUISITION OF RIGHT OF WAY AND IMPROVEMENT OF THE RIGHT OF WAY ON SCENIC-LAKEWOOD TO COUNTY HOSPITAL STREET PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Sidney C. and Mary E. Rogers and D.V. Taylor **for** acquisition of right of way and improvement of the right of way on Scenic - Lakewood to County Hospital street project **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** April, 19 7, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-240

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(299).

WHEREAS, a verified application for an amendment to Section 8-4-9 of the Zoning Map was filed by Whitmore Plaza Associates on December 29, 1980, to reclassify from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D, the property described in Planning Commission Resolution No. 81-57 adopted on February 17, 1981, a copy of which is on file in the Office of the Director of Planning and Community Development, and

WHEREAS, after public hearing held on February 17, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The project conforms to the General Plan.
2. The project conforms to the collector street pattern and residential densities called for in the Bret Harte Neighborhood Zoning and Development Plan, adopted at this same meeting.
3. The project provides a variety of housing types for this neighborhood, and

WHEREAS, by letter dated March 30, 1981, applicant has requested that a portion of the property referred to above, which is occupied by the existing residential homesite, be eliminated from said application, and

WHEREAS, said application, as amended, is to reclassify from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in the southeast quarter of Section 8, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, City of Modesto, County of Stanislaus, State of California, described as follows:

BEGINNING at the south quarter section corner of said Section 8, said point being on the present centerline of Whitmore Avenue; thence North 0°06'30" East, 55.00 feet to the southwest corner of Parcel B as shown on the map recorded in Book 5 of Parcel Maps at Page 83, Stanislaus County Records; thence continuing North 0°06'30" East on the west line of said Parcel B 1267.08 feet to the northwest corner of said Parcel B; thence south 89°20'30" East on the north line of said Parcel B, 589.00 feet to the northeast corner of Parcel B and the northwest corner of Parcel A as shown on the map recorded in Book 5 of Parcel Maps at Page 83, Stanislaus County Records; thence South 89°20'30" East on the north line of said Parcel A, 335.00 feet to the northeast corner of Parcel A; thence South 0°06'30" West on the east line of said Parcel A, 1264.53 feet to the southeast corner of Parcel A; thence continuing South 0°06'30" West, 55.00 feet to the south line of said Section 8; thence North 89°30' West on said south line 334.99 feet; thence North 0°06'30" East, 55.00 feet to the Southwest corner of said Parcel A; thence continuing North 0°06'30" East on the West line of Parcel A 330.00 feet to a centerline of proposed 50 foot wide Caleb Court; thence along said centerline North 39°30' West 254.00 feet to the centerline of 60.00 foot wide Dallas Street; thence along said centerline South 0°06'30" West 385.00 feet to the South line of said Section 8; thence North 89°30' West on said south line, 335.00± feet to the point of beginning.

and

WHEREAS, the Council held a public hearing on April 7, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and

WHEREAS, prior to said public hearing revised plans were submitted by the applicant, and

WHEREAS, after said public hearing, the Council found and determined that the application of Whitmore Plaza Associates, as amended and revised, for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth by the Planning Commission and quoted above, and

WHEREAS, the Council has introduced Ordinance No. 2033-C.S. on the 7th day of April, 1981, reclassifying the above-described property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D(299),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D(299) is hereby approved subject to the following conditions:

1. All development shall conform to the plans titled, "Phoenix Glen - A Planned Unit Development", as amended in red, stamped approved by the City Council on April 7, 1981. Prior to the issuance of a building permit, the applicant shall submit revised plot plans and floor plans showing all changes required by the City Council.

2. Fencing shall be constructed prior to occupancy and shall be as follows:

   a. Seven foot decorative masonry wall along Whitmore AVenue.

   b. Seven foot solid wall or fence around all patios.

3. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. All utilities shall be underground and cable television service shall be stubbed into all units.

5. All signs shall comply with the sign requirements of the R-1 Zone.

6. Prior to the issuance of a building permit for any structure, a subdivision map shall be recorded.

7. The applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. Hydrants shall be installed and operable prior to construction of any structures.

8. Frontyard landscaping and underground irrigation systems shall be installed prior to occupancy.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (299):

Phase I	Attached zero lot line units, begin by January 1, 1983, complete by January 1, 1985.
Phase II	Detached houses, begin by January 1, 1984, complete by January 1, 1986.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (299) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: Elliott, Lang, Patterson

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Wilbur Smith
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-241

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 8-4-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (WHITMORE PLAZA ASSOCIATES)

WHEREAS, on April 7 **, 19** 81**, the City Council** introduced Ordinance No. 2033 - C. S. **giving approval to a project relating to** an amendment to Section Map 8-4-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(299) **, and**

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 8-4-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(299).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: Elliott, Lang, Patterson

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-242

A RESOLUTION DENYING THE APPEAL OF SCOTT JOHNSON AND RICHARD HAGERTY TO THE DECISION OF THE BOARD OF BUILDING APPEALS REQUIRING COMPLIANCE WITH A NOTICE AND ORDER DATED DECEMBER 15, 1980, WITH CERTAIN EXCEPTIONS.

WHEREAS, on December 15, 1980, the Building Inspection Division of the Public Works Department of the City of Modesto issued to Scott Johnson and Richard Hagerty a Notice and Order to repair or demolish an apartment building located at 1418-1430 "I" Street in the City of Modesto, and

WHEREAS, on January 14, 1981, Scott Johnson and Richard Hagerty filed an appeal with the Board of Building Appeals, appealing certain requirements of said Notice and Order dated December 15, 1980, and

WHEREAS, said appeal was set for hearing before the Board of Building Appeals at 4:00 o'clock p.m. on February 19, 1981, in the City Council Chambers, 801 11th Street, Modesto, California, and

WHEREAS, the Board of Building Appeals at said meeting on February 19, 1981, at 4:00 o'clock p.m. in the City Council Chambers, 801 11th Street, held a hearing and received evidence both oral and documentary, and

WHEREAS, based upon the evidence received and considered at its meeting on February 19, 1981, the Board of Building Appeals denied the appeal of Scott Johnson and Richard Hagerty, and by Decision and Order No. 2-81 ordered that the requirements listed in the Notice and Order dated December 15, 1980, be satisfied, based on the following findings:

1. The building at 1418-1430 I Street, Modesto, is substandard as defined in Sections 202 and 1001 of the Modesto Housing Code and Section 203 of the Modesto Building Code.

2. The repairs, corrections and remedies set forth in the December 15, 1980, Notice and Order are necessary to remedy the substandard and dangerous conditions on the premises and in the building.

3. Any compromises in abatement of the appealed items will most likely result in lowering the standard of health and safety of the building's occupants or the public.

and

WHEREAS, by a letter dated March 4, 1981, Scott Johnson, on behalf of himself and Richard Hagerty, filed an appeal with the City Clerk of the City of Modesto on March 5, 1981, to the decision of the Board of Building Appeals ordering that the requirements of the Notice and Order dated December 15, 1980, be satisfied, and

WHEREAS, said matter was set for public hearing before the Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, after 4:00 o'clock p.m. on April 7, 1981, at which time evidence both oral and documentary was taken and introduced,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby makes the following findings:

1. Decision and Order No. 2-81 was issued by the Board of Building Appeals ordering that the requirements of the Notice and Order dated December 15, 1980, be satisfied.

2. The building at 1418-1430 I Street, Modesto, is substandard as defined in Sections 202 and 1001 of the Modesto Housing Code and Section 203 of the Modesto Building Code.

3. The repairs, corrections and remedies set forth in the December 15, 1980, Notice and Order are necessary to remedy the substandard and dangerous conditions on the premises and in the building.

4. Any compromises in abatement of the appealed items would result in lowering the standard of health and safety of the building's occupants or the public.

5. Safe and adequate means of exit in case of fire or panic may be provided for the occupied portion of the basement by installing one means of egress that complies with the requirements of

Chapter 33 of the Building Code for the type of building involved, provided that the area of said occupied portion shall be limited or reduced to approximately 500 square feet by installing a separation wall, having a minimum fire resistance rating required by the Uniform Building Code for this type of building; the only opening permitted in this separation wall shall be a 3 foot by 3 foot exit crawl hole to provide emergency access to the vacated area. Said area of approximately 500 square feet shall encompass the building's boiler area, which boiler area shall be enclosed with an additonal separation wall having a minimum fire resistance rating as required by the Uniform Building Code.

BE IT FURTHER RESOLVED that the requirements of the Notice and Order dated December 15, 1980, shall be complied with within six (6) months from the date of adoption of this resolution, except those provisions of the Notice and Order affecting individual dwelling units shall be complied with within four (4) months from the date of adoption of this resolution,

BE IT FURTHER RESOLVED that the appeal of Scott Johnson and Richard Hagerty to the decision of the Board of Building Appeals that the requirements of the Notice and Order dated December 15, 1980, be satisfied, is hereby denied for the reasons set forth above and with the exceptions set forth above, and with said exceptions the decision of the Board of Building Appeals is hereby affirmed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-243

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF THE MCHENRY MUSEUM ELEVATOR

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of the McHenry Museum elevator **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on April 28, 1981, at 11:00 a.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** April, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-244

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE REFINISHING OF DOWNEY AND DAVIS PARK TENNIS COURTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the refinishing of Downey and Davis Park tennis courts **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on April 28, 1981, at 11:15 a.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** April, **19**81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-245

A RESOLUTION ACCEPTING THE BID OF PACIFIC PIPELINE PRODUCTS FOR FURNISHING ONE 8-INCH COMPOUND WATER METER

WHEREAS, Resolution No.81-106, adopted by the Council of the City of Modesto on February 17, 1981 , approved the plans and specifications for the purchase of one 8-inch compound water meter and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of one 8-inch compound water meter were opened at 2:00 p.m. on March 17, 1981 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Pacific Pipeline Products in the amount of $6,095 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Pacific Pipeline Products in the amount of $6,095 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April , 19 81, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-246

A RESOLUTION ACCEPTING THE BID OF MORROW & WAGGONER FOR THE DEMOLITION OF THE FORMER BOOK NOOK BUILDING FOR THE INTERIM BUS TERMINAL, NINTH AND I STREETS

WHEREAS, Resolution No. 81-59, adopted by the Council of the City of Modesto on February 3, 1981, approved the plans and specifications for the interim bus terminal site work and authorized the calling for bids; and

WHEREAS, the bids received for the interim bus terminal site work were opened at 1:45 p.m. on March 27, 1981, and later tabulated by the Director of Parking and Traffic for the consideration of the Council; and

WHEREAS, the Director of Parking and Traffic has recommended that the bid of Morrow & Waggoner for the demolition of the former Book Nook building in the amount of $2,390 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Morrow & Waggoner for the demolition of the former Book Nook building in the amount of $2,390 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-247

A RESOLUTION ACCEPTING THE BID OF ROLFE CONSTRUCTION TO INSTALL IMPROVEMENTS AT THE INTERIM BUS TERMINAL SITE, NINTH AND I STREETS

WHEREAS, Resolution No. 81-59 , adopted by the Council of the City of Modesto on February 3, 1981 , approved the plans and specifications for the interim bus terminal site work and authorized the calling for bids; and

WHEREAS, the bids received for the interim bus terminal site work were opened at 1:45 p.m. on March 27, 1981 , and later tabulated by the Director of Parking and/Traffic for the consideration of the Council; and

WHEREAS, the Director of Parking and/Traffic has recommended that the bid of Rolfe Construction to install improvements, in the amount of $21,320 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Rolfe Construction to install improvements, in the amount of $21,320 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April , 19 81, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-248

A RESOLUTION ACCEPTING THE BID OF ACE ALUMINUM COMPANY TO SUPPLY AND INSTALL THREE 1,500 SQUARE FOOT BUS PASSENGER SHELTERS ON THE INTERIM BUS TERMINAL SITE, NINTH AND I STREETS

WHEREAS, Resolution No. 81-59, adopted by the Council of the City of Modesto on February 3, 1981, approved the plans and specifications for the interim bus terminal site work and authorized the calling for bids; and

WHEREAS, the bids received for the interim bus terminal site work were opened at 1:45 p.m. on March 27, 1981, and later tabulated by the Director of Parking and Traffic / for the consideration of the Council; and

WHEREAS, the Director of Parking and Traffic / has recommended that the bid of Ace Aluminum Company to supply and install three bus passenger shelters in the amount of $16,500 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Ace Aluminum Company in the amount of $16,500 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-249

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $7,400 TO COVER THE COST OF REMODELING AN EXISTING BUILDING ON THE INTERIM BUS TERMINAL SITE, NINTH AND I STREETS

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Exigency Reserve, P & T Transit (6101)	$7,400
TO:	Downtown Terminal, P & T Transit (6359)	$7,400

The original $50,000 appropriation for this project was to cover the cost of remodeling an existing building. In the past three years we've been directed to plan and design several successive alternate projects. This work was done by Gordon Hart, Inc., and depleted the budget by about $7,400. We need to restore the budget by that amount to cover construction costs.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** April, 19 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-250

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINE EXTENSION AT BUDD AND NEWELL AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of waterline extension at Budd and Newell has been completed by Western Pipeline, Inc.

in accordance with the contract agreement dated July 22, 1980.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterline extension at Budd and Newell be accepted from said contractor, Western Pipeline, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $41,777.70 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-251

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF ONE VERTICAL TURBINE PUMP AND MOTOR FROM STANISLAUS PUMP

WHEREAS, the Sewerage Division is requesting that a Johnston vertical turbine pump and motor be purchased because it would be compatible with the existing space, plumbing and electrical hookups; and

WHEREAS, informal bids for the Johnston brand vertical turbine pump and motor resulted in only one firm bid from Stanislaus Pump.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for one vertical turbine pump and motor is hereby waived.

BE IT FURTHER RESOLVED that purchase of one vertical turbine pump and motor from Stanislaus Pump for the total price of $7,966.70 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-252

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND APPROVING PURCHASE OF EMERGENCY REPAIR SERVICES EXCEEDING $5,000 FOR THE EMERALD AVENUE TRUNK SEWER LINE JUST SOUTH OF MID LATERAL NO. 4

WHEREAS, a failure of the Emerald trunk sewer line just south of the Emerald Lift Station resulted in a cave-in of the street on Friday, January 30, 1981; and

WHEREAS, emergency repairs were made by Western Pipeline, as they were the only ones able to mobilize a crew in that short a length of time; and

WHEREAS, staff recommends Western Pipeline's invoice for $6,752.64 be paid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for emergency services exceeding $5,000 is hereby waived.

BE IT FURTHER RESOLVED that the purchase order for $6,752.64 to Western Pipeline for emergency repairs to the Emerald Avenue trunk sewer line is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-253

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF T-HANGAR(S) AT MODESTO CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of T-hangar(s) at the Modesto City-County Airport **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 5, 1981, at 11:05 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** April, **19**81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-254

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR HEATER REMIX AND SLURRY SEAL, SPRING 1981

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for heater remix and slurry seal, Spring 1981

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on April 28, 1981, at 11:05 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** April, 19 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-255

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE TRASK LANE RECONSTRUCTION FROM YOSEMITE BOULEVARD TO HADDON AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the Trask Lane reconstruction from Yosemite Boulevard to Haddon Avenue copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on April 28, 1981, at 11:10 a.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-256

A RESOLUTION ENDORSING A LITTER CONTROL AND RECYCLING PROGRAM APRIL 20 - 26TH, 1981 FOR THE CITIZENS FOR THE GREAT STANISLAUS RESOURCE RALLY

WHEREAS, more than 46 million tons of nonhazardous solid wastes are generated each year in California at a time when many of the State's 600 sanitary landfills are closing for want of space or failure to meet health and safety standards; and

WHEREAS, Californians spend more than $600 million each year to collect, transfer, haul and bury solid wastes that contain hundreds of millions of dollars of valuable energy and materials that have the potential to be reused, recycled or otherwise recovered; and

WHEREAS, the problem of litter continues to plague California's cities and counties costing the taxpayers an additional $100 million a year to handle; and

WHEREAS, the State Solid Waste Management Board is the agency responsible for initiating and encouraging state-wide and community programs in solid waste management planning and enforcement, recycling, resource reuse, energy recovery, litter control and public education and participation; and

WHEREAS, the State Solid Waste Management Board - with the support of dozens of California public interest groups, businesses and local governments - is sponsoring the Great California Resource Rally to be held April 20-26, 1981, to raise Californians' awareness of the State's impending garbage crisis and encourage citizen participation in litter control, recycling and waste reduction activities; and

WHEREAS, City Councils have a leadership role to play in helping to find solutions to California's solid waste management challenges.

NOW, THEREFORE BE IT RESOLVED that the City of Modesto hereby endorses and supports the objectives and goals of the California Resource Rally, urges its citizens to participate in and support recycling, litter control and waste reduction activities throughout the year but especially during the Rally week of April 20-26, 1981.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-257

A RESOLUTION DENYING REQUEST OF MRS. MARGARET CARDOZA TO WAIVE PLANTING OF A CITY STREET TREE AT HER RESIDENCE, 1405 RAQUEL LANE, MODESTO, CALIFORNIA

WHEREAS, Mrs. Margaret Cardoza, 1405 Raquel Lane, Modesto, California has requested that the City Council waive the requirement for planting of a street tree in the planting easement in front of her residence because her yard is already landscaped with trees and that she does not need a shade tree because the roots from the shade tree will be damaging to her fruit trees; and

WHEREAS, the Assistant Director of Parks and Recreation maintains there is room in the easement for a city tree and sees no reason for not carrying out the city policy; and

WHEREAS, the City of Modesto has adopted street trees regulations as contained in Chapter 5 of Title XII of the Modesto Municipal Code for the purpose of providing uniformity of street trees of a type approved by the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of Mrs. Margaret Cardoza to waive planting of a street tree in the planting easement in front of her residence at 1405 Raquel Lane, Modesto, is hereby denied for the reasons set forth above.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-258

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF DANIEL POLLOCK FROM THE FARM-CITY ADVISORY COMMITTEE, EFFECTIVE APRIL 7, 1981

WHEREAS, Daniel Pollock was appointed a member of the Farm-City Advisory Committee on August 7, 1979; and

WHEREAS, Daniel Pollock has tendered his resignation from the Farm-City Advisory Committee, effective April 7, 1981; and

WHEREAS, Daniel Pollock has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED that the resignation of Daniel Pollock from the Farm-City Advisory Committee be, and hereby is accepted with regret.

BE IT FURTHER RESOLVED that the Council of the City of Modesto, on its own behalf, and on behalf of the citizens of this City, hereby expresses its sincere appreciation to Daniel Pollock for his outstanding service to the community.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-259

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATIONS OF AL LEHMAN AND GLENN SMITH FROM THE HOUSING PROGRAM'S NEIGHBORHOOD ADVISORY COMMITTEE NO. 2, EFFECTIVE APRIL 7, 1981

WHEREAS, Al Lehman and Glenn Smith were appointed as members of the Neighborhood Advisory Committee, Target Area #2 on October 24, 1977,and November 21, 1977 respectively; and

WHEREAS, Al Lehman and Glenn Smith have tendered their resignations from the Neighborhood Advisory Committee, Target Area #2, effective April 7, 1981; and

WHEREAS, Al Lehman and Glenn Smith have been devoted and sincere public servants and have contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED that the resignations of Al Lehman and Glenn Smith from the Neighborhood Advisory Committee, Target Area #2 be, and hereby is accepted with regret.

BE IT FURTHER RESOLVED that the Council of the City of Modesto, on its own behalf, and on behalf of the citizens of this City, hereby expresses its sincere appreciation to Al Lehman and Glenn Smith for their outstanding service to the community.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-260

A RESOLUTION ESTABLISHING A BUILDING COMPLIANCE INSPECTION FEE.

BE IT RESOLVED by the Council of the City of Modesto that it hereby establishes a Building Compliance Inspection Fee in the amount of $30.00 to be charged by the Building Official for inspections to determine whether a building complies with the Housing Code and/or the Dangerous Buildings Code. Said Building Compliance Inspection Fee shall become effective on and after May 1, 1981.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-261

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND SELF-HELP PROGRAM, INC., NEW DIRECTIONS FOR WOMEN FOR ON-THE-JOB TRAINING

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Self-Help Program, Inc., New Directions for Women **for** on-the-job training with emphasis to place women in non-traditional jobs

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** April, **19**81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-262

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOHN R. AND LINDA S. COFFER FOR SEWER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 308 CRATER AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and John R. and Linda S. Coffer **for** sewer service to property outside City limits at 308 Crater Avenue, between Cascade Avenue and Crystal Avenue **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** April, 19 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-263

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND GLENN L. AND PEGGY L. BRITT FOR THE ACQUISITION OF AN AVIGATION EASEMENT FOR THE CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Glenn L. and Peggy L. Britt **for** acquisition of .82± acres of property for an avigation easement for the City-County Airport (property located off the end of Runway 28R) **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** April, **19**81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-264

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RUSSELL AND JEAN TAYLOR FOR RENT OF ACME CLEANERS (FORMER McCUMBER PROPERTY) LOCATED ON OLE LINCOLN SCHOOL SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Russell and Jean Taylor **for** rent of Acme Cleaners (former McCumber property) located on old Lincoln School site **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** April, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-265

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON REPORT OF WORK AND COST OF CONSTRUCTION OF IMPROVEMENTS AT THE SOUTHEAST CORNER OF LALOMA AND SANTA BARBARA AVENUES IN THE CITY OF MODESTO

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 28, 1981, at 7:30 p.m., in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of the attached reports by the Superintendent of Streets on the cost of construction of improvements described as follows:

Parcel B of Volume 26 of Parcel Maps, Page 20 on the south side of La Loma Avenue east of Santa Barbara Avenue (George De Ponte) $2,115.56.

Parcels A and D of Volume 26 of Parcel Maps, Page 20 on the east side of Santa Barbara Avenue south of La Loma Avenue (Lester R. Romine) $3,536.34.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Mpdesto held on the 7th day of April, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

DEPARTMENT OF PUBLIC WORKS

March 19, 1981

REPORT TO THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of improvements required at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcels A and D as per map filed November 17, 1979 in Volume 26 of Parcel Maps, Page 20, Stanislaus County Records.

(Stanislaus County Assessor's Parcel Nos. 002-01 108-1552-030 and 002-01 108-1555-030)

The work of installation of street surfacing was performed in accordance with Resolution 80-1211 of the Modesto City Council ordering the construction of improvements at the above location.

The cost of the work performed is as follows:

1. Street improvements at the S.E. corner of La Loma and Santa Barbara Avenues.

Labor	$2,065.59
Equipment	241.12
Materials	1,229.63
Total	$3,536.34

The amount of assessment against each property described above is one-half of the total cost of improvements.

Ross Campbell
Director of Public Works

Mailing address of property owner:
Both Parcels

Lester R. Romine
P.O. Box 682
Sonora, California 95370

RC:TP:dr

cc: City Manager
City Attorney
City Clerk
Finance Director

NOTICE OF COST OF CONSTRUCTION

NOTICE IS HEREBY GIVEN:

TO: NAME Lester R. Romine

ADDRESS P.O. Box 682, Sonora, California 95370

The Director of Public Works of the City of Modesto has caused to be constructed certain improvements, as described in the attached report.

This is to notify you that the work has been completed and the cost of construction was as set forth in the attached report.

The City Council will hear and pass upon the attached report by the Director of Public Works on the cost of the construction, together with objections or protests, if any, which may be raised by any property owner or other interested persons, at 7:30 P.M. on the 28th day of April, 1981, at the City Council Chambers, located at the Modesto City Hall, 801 Eleventh Street, Modesto, California.

Dated this 7th day of April, 1981.

Ross Campbell

ROSS CAMPBELL, Director of Public Works
City of Modesto

cc: City Clerk

DEPARTMENT OF PUBLIC WORKS

March 19, 1981

REPORT TO THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of improvements required at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcel B as per map filed November 17, 1977 in Volume 26 of Parcel Maps, Page 20, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1553-030)

The work of installation of a street light was performed in accordance with Resolution 80-1211 of the Modesto City Council ordering the construction of improvements at the above location.

The cost of work performed is as follows:

1. Installation of Street Light on La Loma Avenue between Santa Barbara and Santa Cruz Avenues.

Labor	$1,066.90
Equipment	233.18
Materials	825.48
Total	$2,115.56

This is the amount of the assessment against the property described above.

Ross Campbell
Director of Public Works

Mailing address of property owner:

George DePonte
1031 McHenry Avenue
Modesto, California 95350

RC:TP:ar

cc: City Manager
City Attorney
City Clerk
Finance Director

NOTICE OF COST OF CONSTRUCTION

NOTICE IS HEREBY GIVEN:

TO: NAME George DePonte

ADDRESS 1031 McHenry Avenue, Modesto, California 95350

The Director of Public Works of the City of Modesto has caused to be constructed certain improvements, as described in the attached report.

This is to notify you that the work has been completed and the cost of construction was as set forth in the attached report.

The City Council will hear and pass upon the attached report by the Director of Public Works on the cost of the construction, together with objections or protests, if any, which may be raised by any property owner or other interested persons, at 7:30 P.M. on the 28th day of April, 19 81, at the City Council Chambers, located at the Modesto City Hall, 801 Eleventh Street, Modesto, California.

Dated this 7th day of April, 19 81.

Ross Campbell

ROSS CAMPBELL, Director of Public Works
City of Modesto

cc: City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-266

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan for the City of Modesto was adopted by Modesto City Council Resolution No. 67-77 pursuant to Rule 2 of the Personnel Rules and Regulations of the City of Modesto, and

WHEREAS, the City Manager has recommended to the Council amendments to the Position Classification Plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that revisions to the Classification Plan shall be effective upon adoption of resolution of the City Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. CLASSIFICATION CREATED. The Position Classification Plan of the City of Modesto is hereby amended to create the following classification:

CLASSIFICATION CREATED

Cost Analyst

The specifications for the classifications created, as shown on Exhibit "A" which is attached hereto is hereby approved and made a part of the Position Classification Plan for the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1981, by

Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

COST ANALYST

DEFINITION

Under direction, to perform difficult professional cost analysis and management reports; to prepare and interpret financial statements or reports; to establish new cost accounting procedures and controls; and to perform related duties as required.

EXAMPLES OF DUTIES

Plans, coordinates, supervises and evaluates all cost accounting operations; advises top management of status of present and long-range cost analysis planning; advises top management of status of cost plan and the budget by management reports; advises management on cost accounting standards and procedures; establishes, maintains, and makes recommendations on implementation of cost accounting system revisions, e.g., Resource Management System (RMS); develops and maintains work measurement data; prepares and updates annual Cost Allocation plan; coordinates cost data with budget, Fringe Benefit report, and other periodic and annual reports; performs field inspections to authenticate validity of data; examines, analyzes, and verifies fiscal documents to insure adherence to established internal controls; may train, assign work to, and evaluate professional accounting and clerical staff.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

Incumbents will be required to file a Statement of Economic Interests.

Those appointed shall serve a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Skills:

Must possess skills to demonstrate success in research and analysis of complex cost accounting systems;
Must demonstrate skill in gathering data, considering alternatives, and writing management reports;
Must perform completed staff work in oral and written presentations.

Knowledges:

Considerable knowledge of:
Principles and procedures of cost accounting, accounting and auditing;
Technical report preparation;
Principles of training and supervision.

wpc
3/23/81

Good knowledge of:

Laws, rules and regulations affecting governmental fiscal operations;
Modern office practices and methods;
Electronic data processing as it relates to accounting procedures and practices.

Ability to:

Plan, initiate and complete work assignments with a minimum of direction;
Understand and apply legal requirements and administrative policies to accounting functions;
Interpret and analyze complex fiscal data and draw logical conclusions;
Provide financial analysis and fiscal interpretation of data to management;
Define cost accounting problem areas and recommend solutions through completed staff work;
Prepare comprehensive and complex statistical and financial reports;
Communicate effectively both orally and in writing;
Establish and maintain complex fiscal records and documents;
Train and supervise subordinate personnel:
Establish and maintain cooperative relationships with those contacted during the course of work.

Experience:

One (1) year or more of full-time assignment as a cost analyst or cost accountant.

Education:

Graduation from an accredited college or university with a major in accounting, economics, finance, or a closely related field. If the major has been in a field other than accounting, at least eighteen (18) units of college level accounting courses should have been completed.

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 267

A RESOLUTION AMENDING EXHIBIT "F" OF RESOLUTION NO. 80-591 ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE."

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. AMENDMENT TO RESOLUTION NO. 80-591. Exhibit "F" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1980-81" attached to Resolution No. 80-591, is hereby amended as shown on the amended Exhibit "F" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1980-81" which is attached hereto and made a part hereof as though set forth in full herein. Said amended Exhibit "F" adds the classification of Cost Analyst to Range 427.0.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CITY OF MODESTO

ALPHABETICAL LISTING OF CLASSIFICATIONS IN CITY SERVICE

1980-81

(Effective 7-1-80, amended 7-15-80, 8-5-80, 9-2-80, 2-17-81, 4-7-81)

Range No.	Title of Classification
111.5	Account Clerk I
114.5	Account Clerk II
116.5	Account Clerk III
119.5	Account Clerk IV
426.0	Accountant
433.0	Accounting Administrator
426.0	Administrative Analyst
426.5	Administrative Assistant (Parking & Traffic)
429.0	Airport Manager
424.5	Airport Maintenance Supervisor
116.5	Animal Control Officer I
118.5	Animal Control Officer II
426.5	Arborist
122.0	Assistant Building Inspector
426.0	Assistant Chief Electrician
633.0	Assistant Chief of Police
434.0	Assistant City Attorney
420.5	Assistant City Clerk
429.0	Assistant Civil Engineer
433.0	Assistant Director of Parks & Recreation
436.0	Assistant Director of Public Works
122.5	Assistant Electrician
426.0	Assistant Planner
126.0	Assistant Property Agent
426.0	Assistant Property Agent(MGT)
122.0	Assistant Public Services Inspector
426.0	Assistant Shop Supervisor
122.0	Assistant Zoning Inspector
432.0	Associate Civil Engineer
429.0	Associate Planner
426.0	Budget Accountant
125.0	Building Inspector
424.5	Building Maintenance Supervisor
120.5	Building Maintenance Worker
122.5	Building Maintenance Leadworker
433.0	Chief Building Official
429.0	Chief Electrician
N/A	Chief of Police
426.5	Chief of Survey Party
N/A	City Attorney
N/A	City Clerk and Auditor
N/A	City Manager
117.5	Civil Engineering Technician I
120.5	Civil Engineering Technician II
123.5	Civil Engineering Technician III
126.5	Civil Engineering Technician IV
124.0	Coach Mechanic
120.5	Community Service Officer
119.5	Computer Operator
125.0	Construction Inspector
427.0	Cost Analyst (Eff. 4-7-81)
123.0	Crime Analyst
426.5	Data Processing Supervisor
427.0	Deputy City Attorney I
430.0	Deputy City Attorney II
312.0	Detective
N/A	Director of Finance
N/A	Director of Management Services
N/A	Director of Parking and Traffic
N/A	Director of Parks and Recreation
N/A	Director of Planning and Community Development
N/A	Director of Public Works and City Engineer
120.5	Electrical Technician
118.5	Electrical Trainee
124.5	Electrician
126.0	Engineering Computer Programmer
122.0	Equipment Mechanic
120.5	Equipment Operator
119.0	Equipment Service Worker
118.5	Evidence and Property Specialist

Range No.	Title of Classification
120.5	Financial Specialist
529.0	Fire Battalion Chief
N/A	Fire Chief
211.0	Fire Engineer
210.0	Fire Fighter
213.0	Fire Lieutenant
112.0	Fire Prevention Inspector Trainee (Eff. until 2-17-81)
120.5	Fire Prevention Technician
122.5	Heavy Equipment Operator
120.5	Housing Conservationist
432.0	Housing Program Officer
125.0	Industrial Waste Inspector
116.5	Janitor
123.0	Junior Accountant
126.0	Junior Civil Engineer
123.0	Junior Planner
114.5	Keypunch Operator
122.5	Laboratory Technician
113.5	Laborer (Unclassified) Effective October 7, 1980
116.5	Laborer (Unclassified) Effective Until October 6, 1980
426.0	Landscape Designer
125.0	Lead Coach Mechanic
123.0	Lead Equipment Mechanic
416.5	Legal Secretary I
418.5	Legal Secretary II
113.5	Maintenance Worker Trainee
116.5	Maintenance Worker
429.0	Management Assistant
429.0	Management Assistant(Risk Manager)
122.5	Mechanic/Treatment Plant (Eff. 2-17-81)
424.5	Mechanical Maintenance Supervisor/ Treatment Plant (Eff. 2-17-81)
113.5	Microfilm and Graphics Technician I
115.5	Microfilm and Graphics Technician II
120.5	Motor Sweeper Operator
424.0	Museum Supervisor
122.5	Nursery Propagator
106.5	Office Aide I
109.5	Office Aide II
113.5	Office Services Clerk
122.5	Office Services Supervisor
122.5	Parking and Traffic Leadworker
120.5	Parking and Traffic Maintenance Worker
122.5	Parks Maintenance Leadworker
424.5	Parks Maintenance Supervisor I
426.5	Parks Maintenance Supervisor II
118.5	Parks Maintenance Worker I
120.5	Parks Maintenance Worker II
429.0	Parks Superintendent
413.5	Personnel Clerk
432.0	Personnel Manager
420.5	Personnel Technician
126.0	Plan Review Engineer I
426.0	Plan Review Engineer I (MGT)
117.5	Planning Technician I
120.5	Planning Technician II
123.5	Planning Technician III
632.0	Police Captain
113.5	Police Clerk
630.0	Police Lieutenant
310.0	Police Officer
425.0	Police Records Supervisor
628.0	Police Sergeant
115.5	Printing Services Operator I

ALPHABETICAL L[illegible]TING (Continued)

Range No.	Title of Classification
118.5	Printing Services Operator II
123.0	Programmer
426.0	Programmer Analyst
430.0	Property Agent
427.0	Public Services Officer
106.5	Public Services Trainee
122.5	Public Works Leadworker
118.5	Public Works Maintenance Worker I
120.5	Public Works Maintenance Worker II
424.5	Public Works Supervisor I
426.5	Public Works Supervisor II
120.5	Pump Maintenance Worker
122.0	Purchasing Assistant I
124.0	Purchasing Assistant II
429.0	Purchasing Officer
117.5	Recreation Program Supervisor
429.0	Recreation Superintendent
426.0	Recreation Supervisor
125.0	Rehabilitation Specialist
117.5	Risk Management Assistant I
120.5	Risk Management Assistant II
116.5	Secretary I
416.5	Secretary I (Conf.)
418.5	Secretary II
420.5	Secretary to the City Attorney
421.5	Secretary to the City Manager
126.5	Senior Building Inspector
416.5	Senior Personnel Clerk
423.5	Senior Personnel Technician
432.0	Senior Planner
428.0	Senior Rehabilitation Specialist
429.0	Shop Supervisor
123.5	Social Services Coordinator
423.5	Social Services Coordinator (MGT)
114.5	Stenographer Clerk
118.5	Storeskeeper I
120.5	Storeskeeper II
120.5	Street Trees Maintenance Worker II
428.0	Supervising Building Inspector
113.5	Telephone Operator-Receptionist
429.0	Transit Manager
120.5	Tree Trimmer I
122.5	Tree Trimmer II
109.5	Typist Clerk I
111.5	Typist Clerk II
113.5	Typist Clerk III
424.5	Warehouse Supervisor
118.5	Wastewater Treatment Plant Attendant
122.5	Wastewater Treatment Plant Mechanic (Eff. until 2-17-81)
120.5	Wastewater Treatment Plant Operator I
122.5	Wastewater Treatment Plant Operator II
426.5	Wastewater Treatment Plant Supervisor
432.0	Water Quality Control Superintendent
118.5	Word Processing Supervisor
114.5	Word Processing Technician I
116.5	Word Processing Technician II
113.5	Word Processing Trainee
425.0	Zoning Inspector

Totals:	11	City Manager, Department Heads
	174	Other
	185	

MODESTO CITY COUNCIL
RESOLUTION NO. 81-268

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR LEGION PARK NO. 2 GOVERNMENTAL REORGANIZATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for Legion Park No. 2 Governmental Reorganization Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City MODESTO

2. Name of Proposed Annexation LEGION PARK NO.2 GOVERNMENTAL REORGANIZATION

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

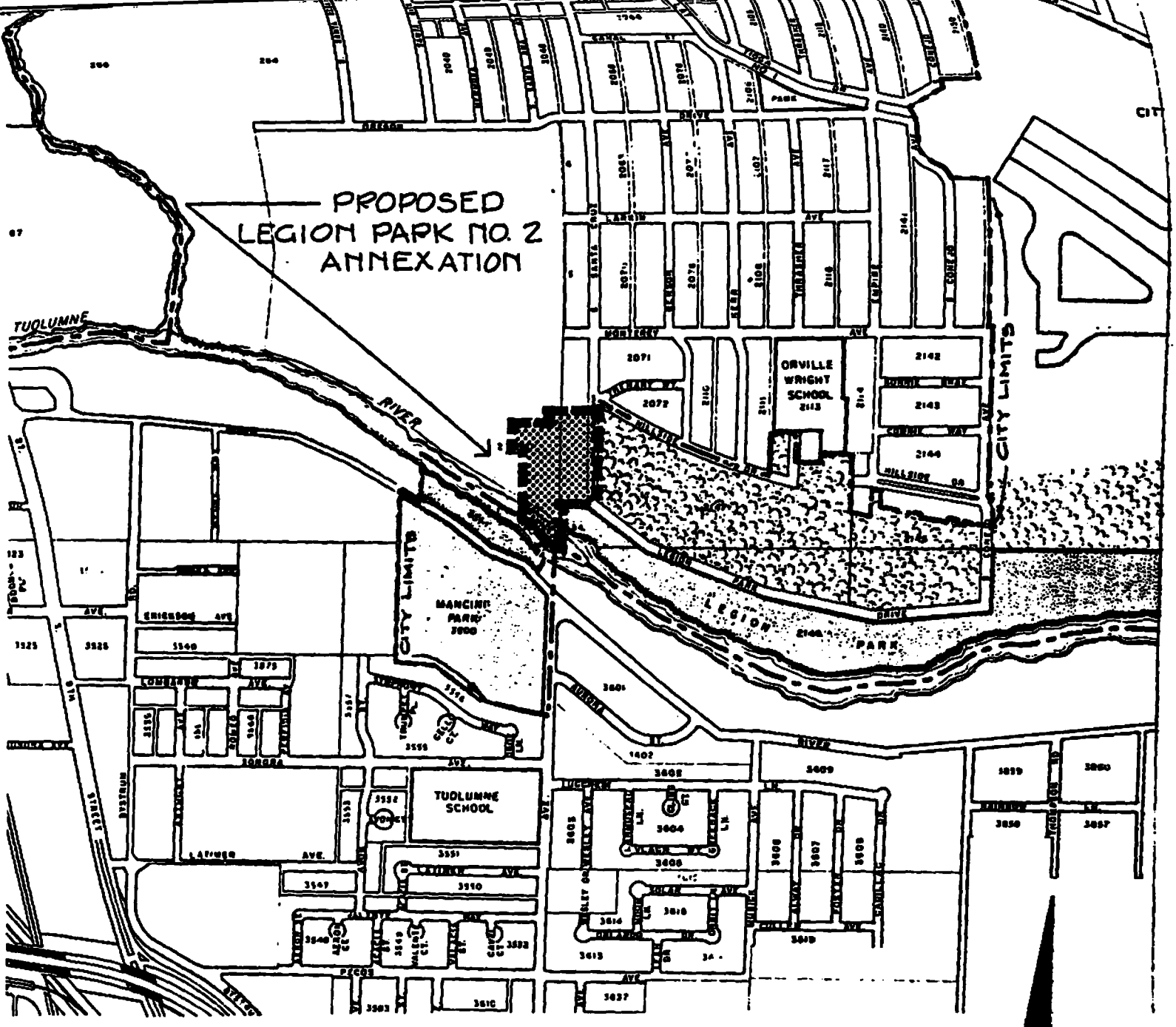
YES

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

NO

5. Other comments the city would like to make.

NONE



PROPOSED
LEGION PARK NO. 2
ANNEXATION

TO THE CITY OF MODESTO

MODESTO CITY COUNCIL
RESOLUTION NO. 81-269

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR BEVERLY-HARRIS ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for the Beverly-Harris Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City MODESTO

2. Name of Proposed Annexation BEVERLY-HARRIS

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

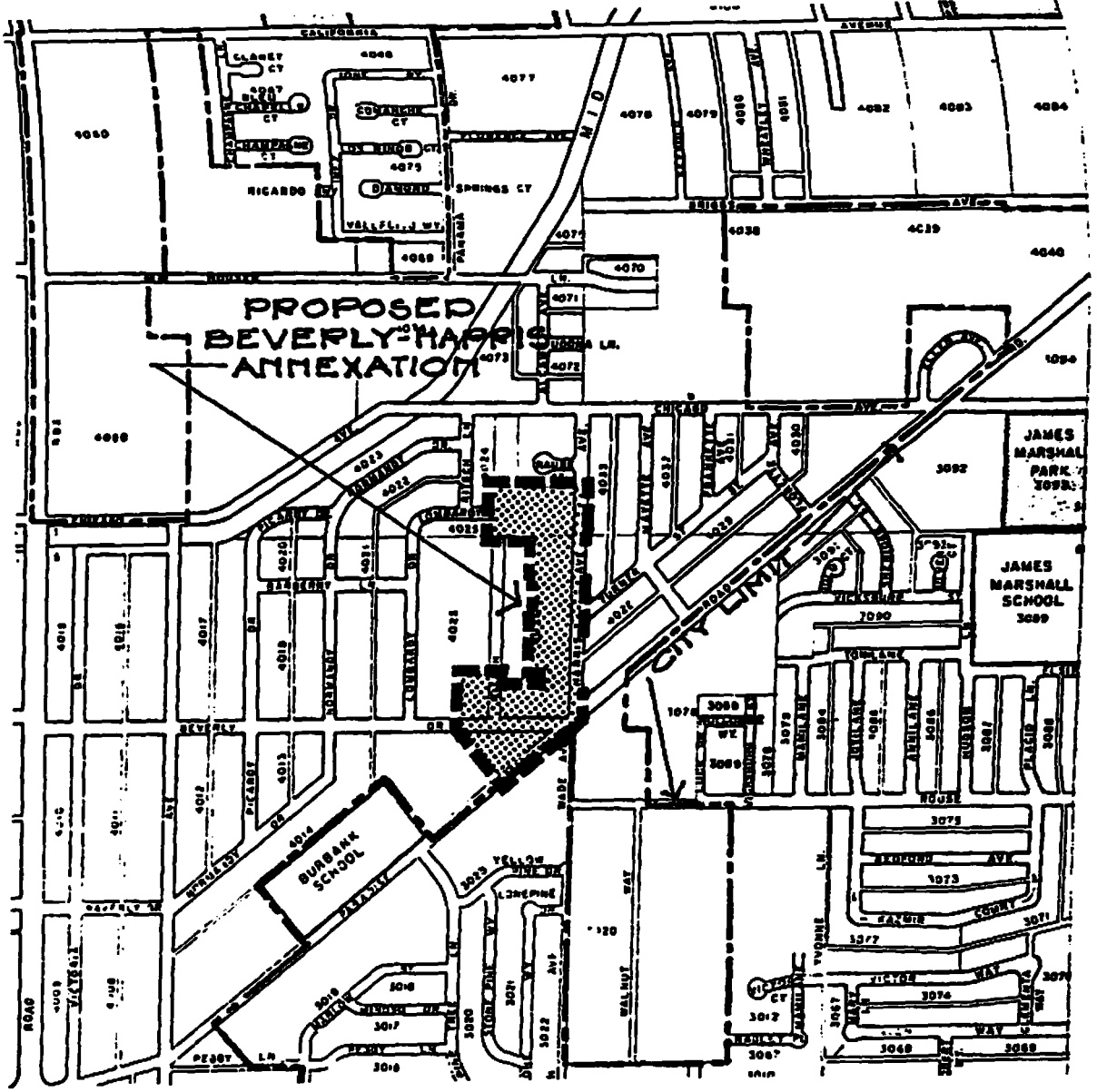
   YES

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

   NO

5. Other comments the city would like to make.

   NONE



PROPOSED BEVERLY-HARRIS ANNEXATION

TO THE CITY OF MODESTO

MODESTO CITY COUNCIL
RESOLUTION NO. 81-270

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR SUNSET AVENUE GOVERNMENTAL REORGANIZATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for Sunset Avenue Governmental Reorganization Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City MODESTO

2. Name of Proposed Annexation SUNSET AVENUE GOVERNMENTAL REORGANIZATION

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

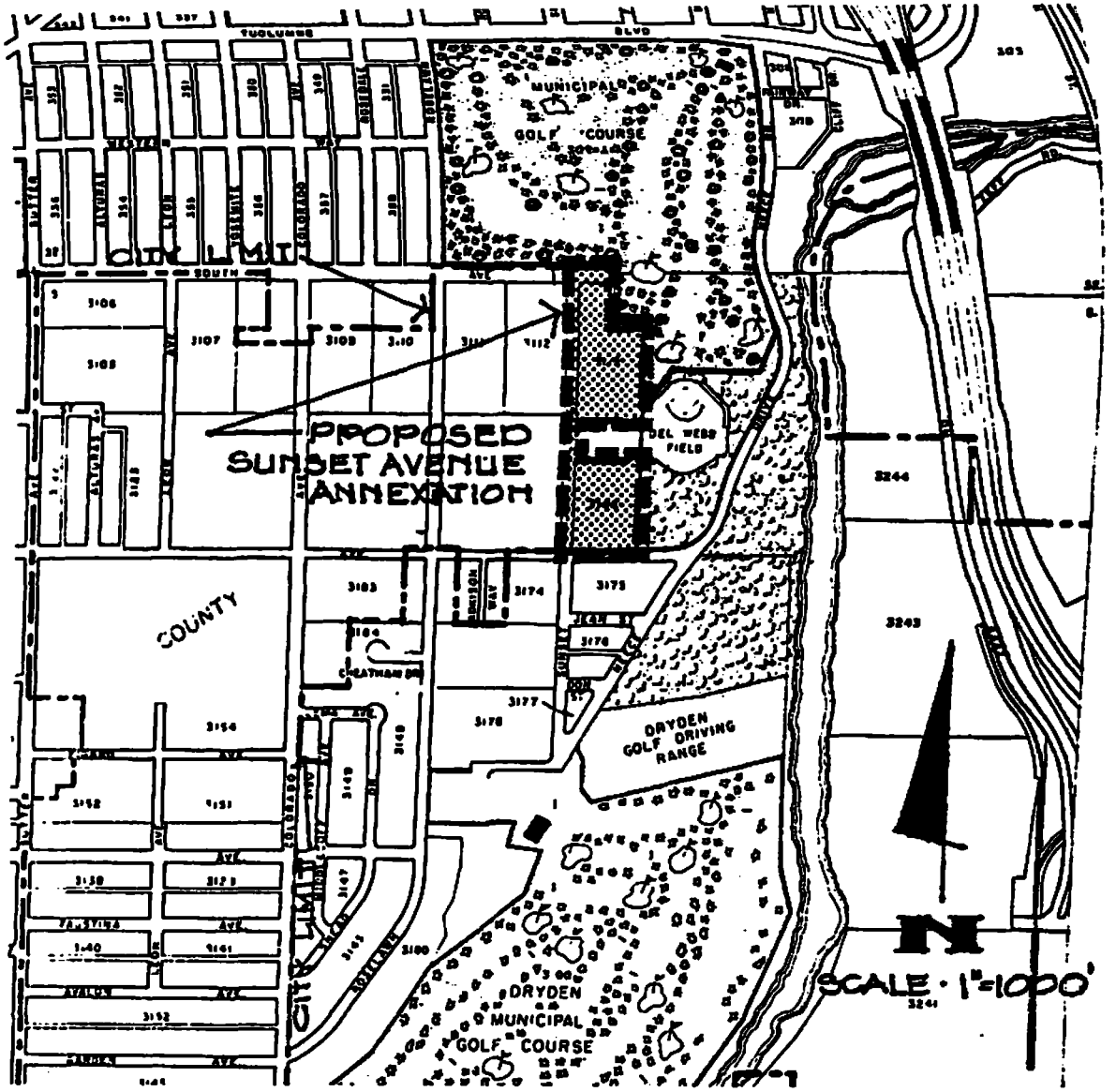
YES

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

NO

5. Other comments the city would like to make.

NONE



PROPOSED
SUNSET AVENUE
GOVERNMENTAL REORGANIZATION

TO THE CITY OF MODESTO

MODESTO CITY COUNCIL
RESOLUTION NO. 81-271

A RESOLUTION ORDERING THE NORTHUMBERLAND DRIVE GOVERNMENTAL REORGANIZATION TO THE CITY OF MODESTO WITHOUT NOTICE, HEARING, OR ELECTION.

WHEREAS, a petition signed by all of the owners of land residing within that certain territory known as the Northumberland Drive Annexation in the County of Stanislaus requesting annexation of the Northumberland Drive Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated March 18, 1981 approved said annexation to the City of Modesto upon condition that it be processed as a Governmental Reorganization pursuant to the provisions of Division 1 of Title 6 of the Government Code of the State of California, and designated said Governmental Reorganization the Northumberland Drive Governmental Reorganization, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution ordered that said Governmental Reorganization consist of (a) the annexation of said territory to the City of Modesto; (b) the detachment of said territory from the McHenry-Dry Creek Fire Protection District; and (c) the annexation of said territory to the Modesto Municipal Sewer District; and that the territory be subject to the bonded indebtedness of the Sewer District, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution ordered that a negative declaration be filed as to the environmental effect of the subject Governmental Reorganization, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution designated the City of Modesto as the conducting authority for said Governmental Reorganization and authorized the Council of the City of Modesto to proceed without notice, hearing or election pursuant to section 56261 of the Government Code of the State of California,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the District Reorganization Act of 1964, as amended, have been complied with.

2. That the area or territory designated as the Northumberland Drive Governmental Reorganization is more particularly described as attached hereto and made a part hereof by reference as though set forth in full herein.

3. Said territory is hereby annexed to and made a part of the City of Modesto.

4. Said territory is hereby detached from the McHenry-Dry Creek Fire Protection District.

5. Said territory is hereby annexed to the Modesto Municipal Sewer District No. 1. Said territory shall be subject to the authorized or existing bonded indebtedness of the Sewer District.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, a certified copy of this resolution, stating the date of its passage and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the Executive Officer of the Stanislaus County Local Agency Formation Commission together with a payment of all fees required by section 56450 of the California Government Code.

BE IT FURTHER RESOLVED that pursuant to section 56454 of the California Government Code, this Governmental Reorganization shall be effective on the date of execution of the certificate of completion by the Executive Officer of the Stanislaus County Local Agency Formation Commission.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of this Governmental Reorganization is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of said Governmental Reorganization.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Conyer Bell
Public Works Department

Revised 2/13/81

CITY OF MODESTO
NORTHUMBERLAND DRIVE
GOVERNMENTAL REORGANIZATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the McHenry-Sylvan No. 2 Addition (353), as per description filed March 18, 1977, as Instrument 51027, Stanislaus County Records, said point also being on the Northwestern line of a 14 foot alley:

1. thence along the existing City Limits along an Eastern line of said Addition (353), the following bearings and distances, South 89° 07' 50" West 259.82 feet;

2. thence South 00° 45' 50" East, 132.50 feet;

3. thence North 89° 18' 20" West, 25.00 feet;

4. thence South 00° 41' 30" East, 132.00 feet;

5. thence North 89° 18' 20" West, 155.00 feet;

6. thence South 00° 45' 50" East, 186.11 feet, to the North line of Robin Hood Drive;

7. thence South 13° 47' 20" West, 30.00 feet, to the center line of 60 foot Robin Hood Drive;

8. thence leaving the existing City Limits along a tangent curve concave to the Southwest, having a Radius of 670.00 feet, a Central Angle of 15° 15' 10", and an Arc Length of 178.36 feet;

9. thence along a tangent reverse curve concave to the Northeast, having a Radius of 530.00 feet, a Central Angle of 10° 59' 12", and an Arc Length of 101.63 feet;

10. thence along the center line of a 20 foot alley, North 00° 47' 30" West, 129.80 feet, to the intersection of a 20 foot wide alley;

11. thence along said center line, South 89° 23' 20" East, 190.32 feet, to the Southwestern right-of-way of a 14 foot alley;

12. thence along said 14 foot alley, North 00° 45' 00" West, 459.22 feet, to the point of beginning, containing 4.031 Acres, more or less

MODESTO CITY COUNCIL
RESOLUTION NO. 81-272

A RESOLUTION APPROVING THE APPLICATION AND THE PROJECT AGREEMENT FOR $130,000 FOR HISTORIC PRESERVATION GRANTS-IN-AID FUNDS FOR INSTALLATION OF ELEVATOR AT MCHENRY MAMSION PROJECT

WHEREAS, the Congress under Public Law 89-665 has authorized the establishment of a National Historic Preservation Grants-in-Aid Program, providing matching funds to the State of California and its political subdivision for historic preservation, survey, planning, development, and acquisition projects; and

WHEREAS, the California Office of Historic Preservation is responsible for the administration of the program within the State, setting up necessary rules and procedures governing application by local agencies under the program; and

WHEREAS, said adopted procedures established by the California Office of Historic Preservation require the applicant to certify by resolution the approval of applications and the availability of local matching funds prior to submission of said applications to the State.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Modesto hereby:

1. Approves the filing of an application for $130,000 for the National Historic Preservation Grants-in-Aid assistance for installation of elevator at McHenry Mansion project; and

2. Appoints the City Manager, Garth Lipsky, or his authorized deputy as agent of the City of Modesto to coordinate, process and execute all contracts, agreements, amendments and ancillary documents within the scope of the attached application; and

3. Agrees that all required local matching funds will be provided for the project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1981, by Councilmember

Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle

NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-273

A RESOLUTION APPROVING THE APPLICATION FOR 1980 STATE GRANT MONEYS FOR THE ROSELLE NEIGHBORHOOD PARK SITE - LAND ACQUISITION PROJECT

WHEREAS, the people of the State of California have enacted the California Parklands Act of 1980, which provides funds to the State of California and its political subdivisions for acquiring lands and for developing facilities for public recreation and historical purposes; and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the program within the state, setting up necessary procedures governing application by local agencies under the program; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of applications prior to submission of said applications to the state; and

WHEREAS, said applications contain assurances that the applicant must comply with; and

WHEREAS, the applicant agency will enter into an agreement with the State of California for the acquisition and/or development of the Roselle Neighborhood Park site - land acquisition project.

NOW, THEREFORE, BE IT RESOLVED that the City of Modesto:

1. Approves the filing of an application for 1980 state grant assistance for the Roselle Neighborhood Park site - land acquisition project; and

2. Certifies that said agency understands the assurances and certification in the application; and

3. Certifies that said agency has or will have sufficient funds to operate and maintain the project; and

4. Certifies that said agency has reviewed and understands the General Provisions contained in the state/local agreement; and

BE IT FURTHER RESOLVED that the City Manager be appointed as agent of the

City to conduct all negotiations, execute and submit all documents including but not limited to applications, agreements, amendments, payment requests, and so on which may be necessary for the completion of the aforementioned project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle

NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-274

A RESOLUTION APPROVING THE APPLICATION FOR 1980 STATE GRANT MONEYS FOR BEYER COMMUNITY PARK DEVELOPMENT, BALLFIELD LIGHTS AND A PORTION OF THE PATH LIGHTS

WHEREAS, the people of the State of California have enacted the California Parklands Act of 1980, which provides funds to the State of California and its political subdivisions for acquiring lands and for developing facilities for public recreation and historical purposes; and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the program within the state, setting up necessary procedures governing application by local agencies under the program; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of applications prior to submission of said applications to the state; and

WHEREAS, said applications contain assurances that the applicant must comply with; and

WHEREAS, the applicant agency will enter into an agreement with the State of California for the development of Beyer Community Park project.

NOW, THEREFORE, BE IT RESOLVED that the City of Modesto:

1. Approves the filing of an application for 1980 state grant assistance for the Beyer Community Park development project; and

2. Certifies that said agency understands the assurances and certification in the application; and

3. Certifies that said agency has or will have sufficient funds to operate and maintain the project; and

4. Certifies that said agency has reviewed and understands the General Provisions contained in the state/local agreement; and

BE IT FURTHER RESOLVED that the City Manager be appointed as agent of the

City to conduct all negotiations, execute and submit all documents including but not limited to applications, agreements, amendments, payment requests, and so on which may be necessary for the completion of the aforementioned project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-275

AN ADDENDUM TO

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND CROSBY THORNTON MARSHALL ASSOCIATES FOR FIRST PHASE PLANS AND SPECIFICATIONS FOR THE MCHENRY MANSION

BE IT HEREBY RESOLVED by the Council of the City of Modesto addendum to **that the/ agreement between the City of Modesto and** Crosby Thornton Marshall Associates **for** first phase plans and specifications for the McHenry Mansion **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** April, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-276

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $5,100 FROM CONTINGENCY RESERVE TO MCHENRY MANSION RESTORATION PROJECT

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Contingency Reserve (61-04 8911 18)	$5,100
TO:	McHenry Mansion Restoration (6276.00 7101 18)	$5,100

These funds are necessary to cover the additional services required for the first phase plans and specifications for the McHenry Mansion.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** April, 19 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-277

A RESOLUTION AMENDING RESOLUTION NO. 72-800 ENTITLED "A RESOLUTION ESTABLISHING A DEFERRED COMPENSATION PLAN FOR THE EMPLOYEES OF THE CITY OF MODESTO."

WHEREAS, the Council of the City of Modesto, by Resolution No. 72-800 adopted June 26, 1972, established a voluntary deferred compensation plan for the employees of the City of Modesto and incorporated into that resolution an agreement to be entered into by the City of Modesto and those of its employees who hold salaried positions of employment with the City of Modesto who voluntarily elect to participate in the plan, and

WHEREAS, the Council of the City of Modesto has previously amended said voluntary deferred compensation plan, and

WHEREAS, the Council desires to further amend said voluntary deferred compensation plan to allow compensated officers other than those receiving a salary to participate in said voluntary deferred compensation plan,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Resolution No. 72-800 entitled "A Resolution Establishing a Deferred Compensation Plan for the Employees of the City of Modesto" be amended by adding Section 8 thereto to read as follows:

"SECTION 8. That elected officers of the City of Modesto who receive compensation for the performance of their duties shall be eligible to participate in the plan and defer such compensation upon the same terms and conditions as salaried employees."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1981, by Councilmember

Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-278

A RESOLUTION DENYING THE APPEAL OF MICHAEL DENNIS TEDESCO FOR AN AMENDMENT TO A CONDITIONAL USE PERMIT IN THE H-1 ZONE FOR EXTENSION OF BUSINESS HOURS FROM 10 P.M. CLOSING TO 12 MIDNIGHT CLOSING ON FRIDAYS AND SATURDAYS, FOR THE McHENRY STATION RESTAURANT, WHICH OCCUPIES A PORTION OF THE BUILDING LOCATED AT 2501 McHENRY AVENUE IN THE CITY OF MODESTO.

WHEREAS, an application was filed by Michael Dennis Tedesco on February 2, 1981, for an amendment to a conditional use permit in the H-1 Zone for extension of business hours from 10 p.m. closing to 12 midnight closing, on Fridays and Saturdays only, for the McHenry Station Restaurant, which occupies a portion of the building located at 2501 McHenry Avenue in the City of Modesto, for which a conditional use permit was granted on March 27, 1977, by Board of Zoning Adjustment Resolution No. 703, and

WHEREAS, Sections 10-2.1904(a) and 10-2.2004 of the Modesto Municipal Code authorize the Board of Zoning Adjustment to grant conditional use permits, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on February 26, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and at said hearing the Board of Zoning Adjustment, by Resolution No. 965, found and determined that the applicant had failed to demonstrate the compatibility of the proposed amendment to said conditional use permit to other existing or potential uses within the general area in which such use is located, and

WHEREAS, at said public hearing referred to above, the Board of Zoning Adjustment denied the application for an amendment to said conditional use permit in the H-1 Zone for extension of business hours from 10 p.m. closing to 12 midnight closing, on Fridays and Saturdays only, for the McHenry Station Restaurant for the reason that the applicant had failed to demonstrate the compatibility of the proposed amendment to other existing or potential uses within the general area in which such use is located, and

WHEREAS, an appeal was filed by Ralph S. Curtis on behalf of Michael Dennis Tedesco with the City Council of the City of Modesto on March 9, 1981, to the decision of the Board of Zoning Adjustment denying his request for an amendment to said conditional use permit in the H-1 Zone for extension of business hours from 10 p.m. closing to 12 midnight closing, on Fridays and Saturdays only, for the McHenry Station Restaurant, and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, at 7:30 o'clock p.m. on April 14, 1981, and

WHEREAS, at said meeting said Council, after hearing evidence both oral and documentary, found and determined that said appeal to the decision of the Board of Zoning Adjustment denying the request for an amendment to a conditional use permit in the H-1 Zone for extension of business hours from 10 p.m. closing to 12 midnight closing, on Fridays and Saturdays only, for the McHenry Station Restaurant in the City of Modesto should be denied for the reasons hereinafter set forth, and that the decision of the Board of Zoning Adjustment should be affirmed:

1. The present closing time of 10 o'clock p.m. was established prior to development of the commercial area in which the subject use is located.

2. The applicant has failed to demonstrate the compatibility of the proposed amendment to other existing or potential uses within the general area in which the subject use is located,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by Ralph S. Curtis on behalf of Michael Dennis Tedesco to the decision of the Board of Zoning Adjustment denying an amendment to a conditional use permit in the H-1 Zone, granted on March 27, 1977, by Board of Zoning Adjustment Resolution No. 703, for extension of business hours from 10 p.m. closing to 12 midnight closing, on Fridays and Saturdays only, for the McHenry Station Restaurant, located at 2501 McHenry Avenue in the City of Modesto should be denied for the reasons set

forth above, and that the decision of the Board of Zoning Adjustment denying Michael Dennis Tedesco's request for an amendment to said conditional use permit in the H-1 Zone, referred to herein, should be affirmed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin

NOES: Councilmembers: Patterson, Mayor Mensinger

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-279

A RESOLUTION GRANTING AN AMENDMENT TO AN UNCLASSIFIED USE PERMIT GRANTED TO THE BIG VALLEY GRACE COMMUNITY CHURCH TO ALLOW EXPANSION OF THE CURRENT 160-STUDENT PAROCHIAL SCHOOL TO 329 STUDENTS, KINDERGARTEN THROUGH SIXTH GRADE; CONSTRUCTION OF A NEW TWO-STORY 5,184 SQUARE FOOT CHRISTIAN EDUCATION BUILDING; TEMPORARY USE OF A MOBILE CHRISTIAN EDUCATION CLASSROOM TO BE REMOVED BY 1985; AND CONSTRUCTION OF A NEW SANCTUARY OF APPROXIMATELY 111,200 SQUARE FEET AND SEATING FOR UP TO 1,045 PEOPLE, ON ITS PROPERTY LOCATED AT THE NORTHEAST CORNER OF COLUMBINE DRIVE AND STANDIFORD AVENUE IN THE CITY OF MODESTO.

WHEREAS, the Modesto City Council, by Resolution No. 77-1079, adopted on October 17, 1977, granted an Unclassified Use Permit to Big Valley Grace Community Church, to allow utilization of church facilities for a parochial school for a maximum of 160 students serving kindergarten through the sixth grade on property located at the northeast corner of Columbine Drive and Standiford Avenue in the City of Modesto, and

WHEREAS, a verified application to amend said Unclassified Use Permit to allow an expansion of the current 160-student parochial school to 329 students, kindergarten through sixth grade; construction of a new two-story, 5,184 square foot Christian Education Building; temporary use of a mobile Christian Education classroom to be removed by 1985; and construction of a new sanctuary of approximately 111,200 square feet and seating for up to 1,045 people on property located at the northeast corner of Columbine Drive and Standiford Avenue in the City of Modesto, was filed by the Big Valley Grace Community Church on February 2, 1981, and

WHEREAS, Section 10-2.1401 of the Modesto Municipal Code classifies the above uses as unclassified uses, and

WHEREAS, said application was set for public hearing before the Planning Commission on March 2, 1981, in the Council Chambers located in the City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, thereafter, upon evidence, both oral and documentary, taken and introduced at said hearing, the Planning Commission adopted Resolution No. 81-66 recommending to the Council that the Unclassified Use Permit granted to the Big Valley Grace Community Church by Modesto City Council Resolution No. 77-1079, be amended to allow an expansion of the current 160-student parochial school to 329 students, kindergarten through sixth grade; construction of a new two-story, 5,184 square foot Christian Education Building, temporary use of a mobile Christian Education classroom to be removed by 1985; and construction of a new sanctuary of approximately 111,200 square feet and seating for up to 1,045 people, on property located at the northeast corner of Columbine Drive and Standiford Avenue in the City of Modesto, for the following reasons:

1. The proposed site at 5 acres is sufficiently large to accommodate the increase in parochial student enrollment from 160 students to 329 students.

2. While the increase in sanctuary seating to 1,045 unfixed seats represents a major increase in off-street parking need on a site that is currently fully parked on Sunday mornings, the mitigating factors are:

   a. The church's intent to spread the time between services to avoid an overlap of parking need.

   b. The church's intent to obtain agreement for use of nearby commercial parking lots and institute bus and van shuttle service.

and

WHEREAS, said matter was set for public hearing before the Council of the City of Modesto in the Council Chambers located in the City Hall, 801 11th Street, Modesto, California, at 7:30 o'clock p.m. on April 14, 1981, and

WHEREAS, the Council certifies it has received and reviewed the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration of environmental impact of the subject amendment to Unclassified Use Permit, and

WHEREAS, said hearing was held before the Council on April 14, 1981, at the above time and place, and evidence, both oral and documentary, was taken and introduced at said hearing, and the Council found and determined that the granting of an amendment to the Unclassified Use Permit granted to the Big Valley Grace Community Church to allow an expansion of the current 160-student parochial school to 329 students, kindergarten through sixth grade; construction of a new two-story, 5,184 square foot Christian Education Building; temporary use of a mobile Christian Education classroom to be removed by 1985; and construction of a new sanctuary of approximately 111,200 square feet and seating for up to 1,045 people on property located at the northeast corner of Columbine Drive and Standiford Avenue in the City of Modesto is required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 81-66, and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Unclassified Use Permit granted to the Big Valley Grace Community Church by Modesto City Council Resolution No. 77-1079, be amended to allow an expansion of the current 160-student parochial school to 329 students, kindergarten through sixth grade; construction of a new two-story, 5,184 square foot Christian Education Building; temporary use of a mobile Christian Education classroom to be removed by 1985; and construction of a new sanctuary of approximately 111,200 square feet and seating for up to 1,045 people, on property located at the northeast corner of Columbine Drive and Standiford Avenue in the City of Modesto, subject to the following conditions:

1. That all development be in accordance with the plan titled "Master Plan--Big Valley Grace Community Church" stamped approved by the Planning Commission on March 2, 1981, and on file in the office of the Director of Planning and Community Development.

2. That the parochial school shall serve a maximum of 329 students.

3. That all outstanding conditions set forth in Modesto City Council Resolution No. 77-1079 not in conflict with this action shall remain in full force and effect.

4. That all outstanding conditions set forth in Modesto City Board of Zoning Adjustment Resolution No. 858 not in conflict with this action shall remain in full force and effect.

BE IT FURTHER RESOLVED that failure to comply with the conditions set forth above shall constitute grounds for revocation of the Unclassified Use Permit granted to the Big Valley Grace Community Church by Modesto City Council Resolution No. 77-1079 as amended by this resolution.

BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 280

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 80-369, AS AMENDED BY RESOLUTION NO. 80-906, AND AMENDING SECTION 2 OF RESOLUTION NO. 80-369 TO APPROVE A REVISED DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT ZONE, P-D (263). (RULE ENTERPRISES)

WHEREAS, the City Council, by Ordinance No. 1940-C. S. which was introduced on April 22, 1980, finally adopted on May 6, 1980, and which became effective on June 5, 1980, amended Section 24-3-8 of the Zoning Map to prezone to Planned Development Zone, P-D(263), property located at the southeast corner of Morse and Blue Gum in the City of Modesto to allow zero lot line patio houses and common recreational facilities, and

WHEREAS, City Council Resolution No. 80-369 which was adopted on April 22, 1980, approved the development plan for P-D(263) and contains the conditions of approval thereof, and

WHEREAS, City Council Resolution No. 80-906 which was adopted on August 26, 1980, approved an amended development plan for P-D(263) and contains an amendment to Condition No. 1 of Section 1 of Modesto City Council Resolution No. 80-369, and

WHEREAS, a verified application for a further amendment to Planned Development Zone, P-D(263) was filed by Rule Enterprises on February 2, 1981, to allow a combination two-story apartment complex and a zero lot line patio home subdivision, and

WHEREAS, said application was set for a public hearing before the Planning Commission on March 16, 1981, in the City Council Chambers, City Hall, 801 - 11th

Street, Modesto, California, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 81-73, found and determined that an amendment to P-D(263) to allow a combination two-story apartment complex and a zero lot line patio home subdivision on property located at the southeast corner of Blue Gum Avenue and Morse Road is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed density and type of units conform to the Woodland Neighborhood Zoning and Development Plan.

2. The P-D Zone and conditions of approval insure a degree of compatibility consonant with surrounding properties, and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on April 14, 1981, and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to P-D(263) to allow a combination two-story apartment complex and a zero lot line patio home subdivision is required by public necessity, convenience, and general welfare for the reasons set forth in Planning Commission Resolution No. 81-73 and quoted above, and

WHEREAS, the City Council at said Council meeting reviewed and considered the findings of the Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed amendment to Planned Development Zone, P-D(263),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Section 1 of Resolution No. 80-369, as amended by Resolution No. 80-906, and

Section 2 of Resolution No. 80-369 which resolutions approved a development plan for Planned Development Zone, P-D(263), are hereby amended to read as follows:

"Section 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(263) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan (and floor plans) titled "Blue Gum Park Patio Homes and Apartments" as amended in red, stamped approved by the Planning Commission on March 16, 1981.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code.

3. Fencing shall be constructed prior to occupancy and shall be 7 foot solid wall or fence along the non-street project boundaries and surrounding the patios of the attached zero lot line patio homes excepting 6 foot board fencing between the dwelling unit and the detached garage.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. The developer shall dedicate and/or improve sufficient right-of-way as required by the Director of Public Works to complete Blue Gum Avenue and Morse Road to a major street standard prior to occupancy or upon demand by the City, whichever occurs first.

6. The developer shall dedicate and/or improve sufficient right-of-way as required by the Director of Public Works to complete Hobart Way and Albion Way to a residential street standard prior to occupancy or upon demand by the City, whichever occurs first.

7. The required public street improvements within a given phase of development shall be constructed prior to occupancy of any structures in that given phase.

8. Prior to issuance of a building permit, street improvement plans shall be approved by the Director of Public Works.

9. All private streets and parking areas shall be constructed in accordance with the standard structural section for residential streets as contained in the City of Modesto Standard Specifications. The private streets in the patio home portion of the project shall have a sidewalk on each side of the street, two travel lanes (a minimum of 20' unobstructed total width), and on-street parking on one side only at any given point, with appropriate signage to preclude on-street parking on the other side.

10. Prior to issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the Director of Public Works.

11. Drainage shall be provided as required by the Director of Public Works.

12. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

13. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

14. All utilities shall be underground and cable television service shall be stubbed into all units.

15. All signs in the apartment portion shall comply with the sign requirements of the R-2 Zone.

16. All signs in the patio house portion shall comply with the sign requirements of the R-1 Zone.

17. Prior to the issuance of a building permit for any structure, a subdivision map shall be recorded.

18. Prior to the issuance of a building permit for any development in the patio house portion, the developer shall submit evidence in a form satisfactory to the City Attorney, that there has been created a Homeowners' Association to guarantee common facility and private property improvement and maintenance in accordance with the approved plans.

19. Prior to issuance of a building permit, the developer shall pay the City of Modesto the cost of planting street trees, the number as determined by the Director of Public Works.

20. The applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. Hydrants shall be installed and operable prior to construction of any structures."

21. An exception to the standard specifications of the City of Modesto is granted to permit one 50' wide driveway approach to Morse Avenue and one 50' wide driveway approach to Bluegum Avenue from the apartment complex.

22. The developer shall install landscaping along all public and private street frontages of the patio home portion of the project. Said landscaping shall be maintained by the Homeowners' Association.

"SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D(263):

Phase 1 - Zero lot line homes, construction to begin on or before September 1, 1982, and completion to be not later than September 1, 1984.

Phase II - Apartment complex, construction to begin on or before September 1, 1984, and completion to be not later than September 1, 1986."

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed amendment to Planned Development Zone, P-D(263).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	Patterson
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-281

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE RECONSTRUCTION OF SANITARY SEWER ON DUNCAN AVENUE, CHABOT AVENUE AND MUIR ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the reconstruction of sanitary sewer on Duncan Avenue, Chabot Avenue and Muir Road **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 5, 1981 at 11:10 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th **day of** April, 19 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-282

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR WHEELCHAIR RAMPS AT VARIOUS LOCATIONS IN THE CITY OF MODESTO

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for wheelchair ramps at various locations in the City of Modesto **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on April 28, 1981, at 2:00 p.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th **day of** April, **19** 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-283

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR RECONSTRUCTION OF COLLEGE AVENUE FROM BRIGGSMORE TO DAVIS PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for reconstruction of College Avenue from Briggsmore to Davis Park copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 5, 1981 at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-284

A RESOLUTION ACCEPTING THE BID OF GEORGE REED, INC. FOR THE CONSTRUCTION OF WHEELCHAIR RAMPS AT VARIOUS CITY PARKS

WHEREAS, Resolution No.81-198, adopted by the Council of the City of Modesto on March 17, 1981 , approved the plans and specifications for the construction of wheelchair ramps at various City parks and authorized the calling for bids; and

WHEREAS, the bids received for the construction of wheelchair ramps at various City parks were opened at 11:00 a.m. on April 7, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of George Reed, Inc. in the amount of $8,892 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of George Reed, Inc. in the amount of $8,892 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April , 1981 , by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-285

A RESOLUTION ACCEPTING THE BID OF ZELLERBACH PAPER COMPANY FOR PLASTIC CAN LINERS

WHEREAS, Resolution No. 81-148, adopted by the Council of the City of Modesto on March 3, 1981 , approved the plans and specifications for the plastic can liners

and authorized the calling for bids; and

WHEREAS, the bids received for the plastic can liners

were opened at 2:00 p.m. on March 24, 1981 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Zellerbach Paper Company in the amount of $7,491.55

be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Zellerbach Paper Company in the amount of $7,491.55

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April , 1981 , by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-286

A RESOLUTION APPROVING THE REVISED CITY OF MODESTO EMERGENCY SERVICES OPERATIONAL PLAN

WHEREAS, the City of Modesto Emergency Services Operational Plan adopted April 26, 1976, has been revised and updated to meet current conditions; and

WHEREAS, this revised plan was approved by the State Office of Emergency Services on March 11, 1981.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that the City of Modesto Emergency Services Operational Plan, date stamped April 13, 1981, and on file in the Office of the City Clerk, is hereby approved as revised.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-287

A RESOLUTION DECLARING THE EXISTENCE OF EXTENUATING CIRCUMSTANCES WHICH MAKE PROPERTY TAX ALLOCATION PROVISIONS OF AGREEMENT DATED FEBRUARY 26, 1980, INAPPLICABLE TO THE WHITMORE NO. 3 ANNEXATION TO THE CITY OF MODESTO AND RESPONDING TO THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR SAID ANNEXATION.

WHEREAS, pursuant to the provisions of Chapter 282 of the Statutes of 1979 of the State of California, the City of Modesto and the County of Stanislaus have both approved an agreement dated February 26, 1980, providing for the distribution of property tax revenue on jurisdictional changes, and

WHEREAS, under the terms of said agreement, the parties affected by an annexation or government reorganization, upon nofification by the Local Agency Formation Commission (LAFCO) that it has received an annexation or governmental reorganization proposal, shall enact a resolution either incorporating the applicable allocations provisions of said agreement or declaring the existence of extenuating circumstances, and

WHEREAS, the Executive Officer of LAFCO has notified the City of Modesto of the filing of the Whitmore No. 3 annexation to the City of Modesto, and

WHEREAS, Whitmore No. 3 annexation has twelve (12) or more registered voters, and

WHEREAS, it has been determined that the existence of extenuating circumstances should be declared regarding said annexation, and

WHEREAS, LAFCO has referred to the City of Modesto a "City Annexation Questionnaire" for Whitmore No. 3 annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby declares the existence of extenuating curcumstances which make the property tax allocation provisions of the above referred to agreement inapplicable to the Whitmore No. 3 annexation.

BE IT FURTHER RESOLVED that the attached Local Agency Formation "City Annexation Questionnaire" for Whitmore No. 3 annexation is hereby approved and the City of Modesto supports the annexation of Whitmore No. 3 if the Local Agency Formation determines that the Whitmore No. 3 annexation contains twelve (12) or more registered voters and therefore is subject to separate negotiations with Stanislaus County regarding property tax allocation under provisions of the City-County agreement dated February 26, 1980,

BE IT FURTHER RESOLVED that if the Local Agency Formation Commission determines that there are less than twelve (12) registered voters in Whitmore No. 3 and therefore is not subject to separate negotiations with Stanislaus County regarding property tax allocations under provisions of the City-County agreement dated February 26, 1980, then the City of Modesto opposes the annexation of Whitmore No. 3.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to transmit certified copies of this resolution to the Executive Officer of LAFCO, the Board of Supervisors of Stanislaus County and Industrial Fire Protection District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L Johnson
ELWYN L JOHNSON, City Attorney

CITY ANNEXATION QUESTIONNAIRE

1. Name of City MODESTO

2. Name of Proposed Annexation WHITMORE NO.3

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

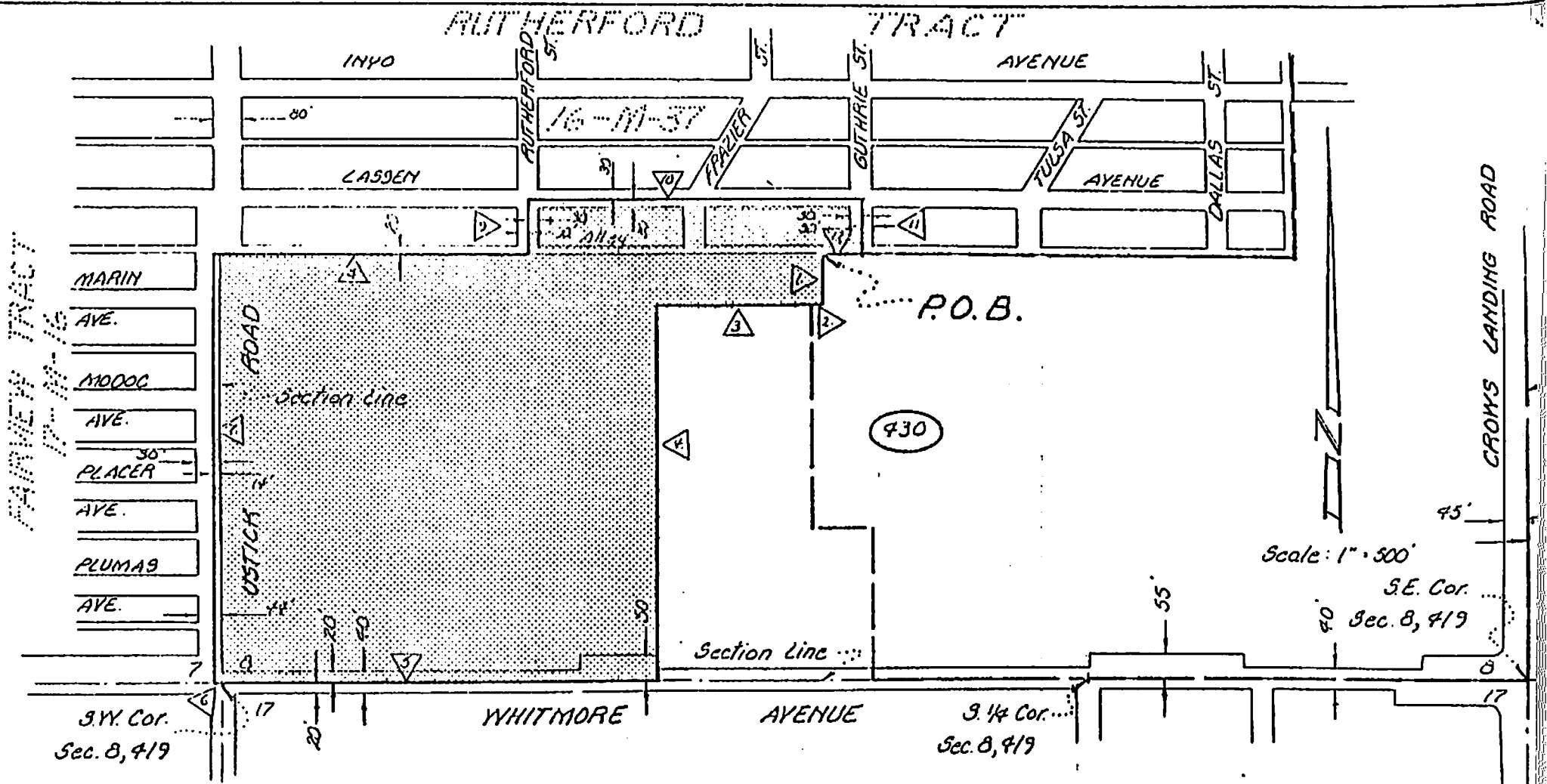
YES, FIRE PROTECTION MAY CONTINUE TO BE PROVIDED BY INDUSTRIAL FIRE DISTRICT UNDER CONTRACT WITH THE CITY.

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

THE CITY OF MODESTO CAN SUPPORT THE PROPOSED ANNEXATION ONLY IF IT IS RESUBMITTED IN A MANNER THAT WILL ALLOW THE OPPORTUNITY TO NEGOTIATE PROPERTY TAX ALLOCATION SEPARATELY UNDER PROVISIONS OF THE CITY-COUNTY AGREEMENT DATED FEBRUARY 26, 1980.

5. Other comments the city would like to make.

THE CITY OF MODESTO WOULD PREFER TO SEE THE PARCELS EAST OF THE PROPOSED ANNEXATION INCLUDED TO CREATE A BETTER SERVICE AREA AND MORE UNIFORM CITY BOUNDARY. HOWEVER, WE HAVE BEEN ADVISED THAT THE OWNERS ARE STRONGLY OPPOSED TO ANNEXATION AND THEIR INCLUSION MAY NOT BE REALISTIC OR POSSIBLE. CITY SERVICES CAN BE PROVIDED TO THE PROPOSED AREA AND ITS DEVELOPMENT WOULD BE CONSISTENT WITH MODESTO'S GROWTH POLICY.



——— Previous annexation boundary

——— New annexation boundary

References are to Stanislaus County Records.

1	S. 0°10'00" E.	151.00'
2	N. 89°20'00" W.	32.00'
3	N. 89°20'00" W.	481.23'
4	S. 0°10'40" W.	1179.84'
5	N. 89°29'00" W.	1321.63'
6	N. 89°50'00" W.	14.00'
7	N. 0°13'00" E.	1329.41'
8	S. 89°20'00" E.	99
9	N. 0°13'00" E.	17
10	S. 89°20'00" E.	10.2
11	S. 0°13'00" W.	17
12	N. 89°20'00" W.	130

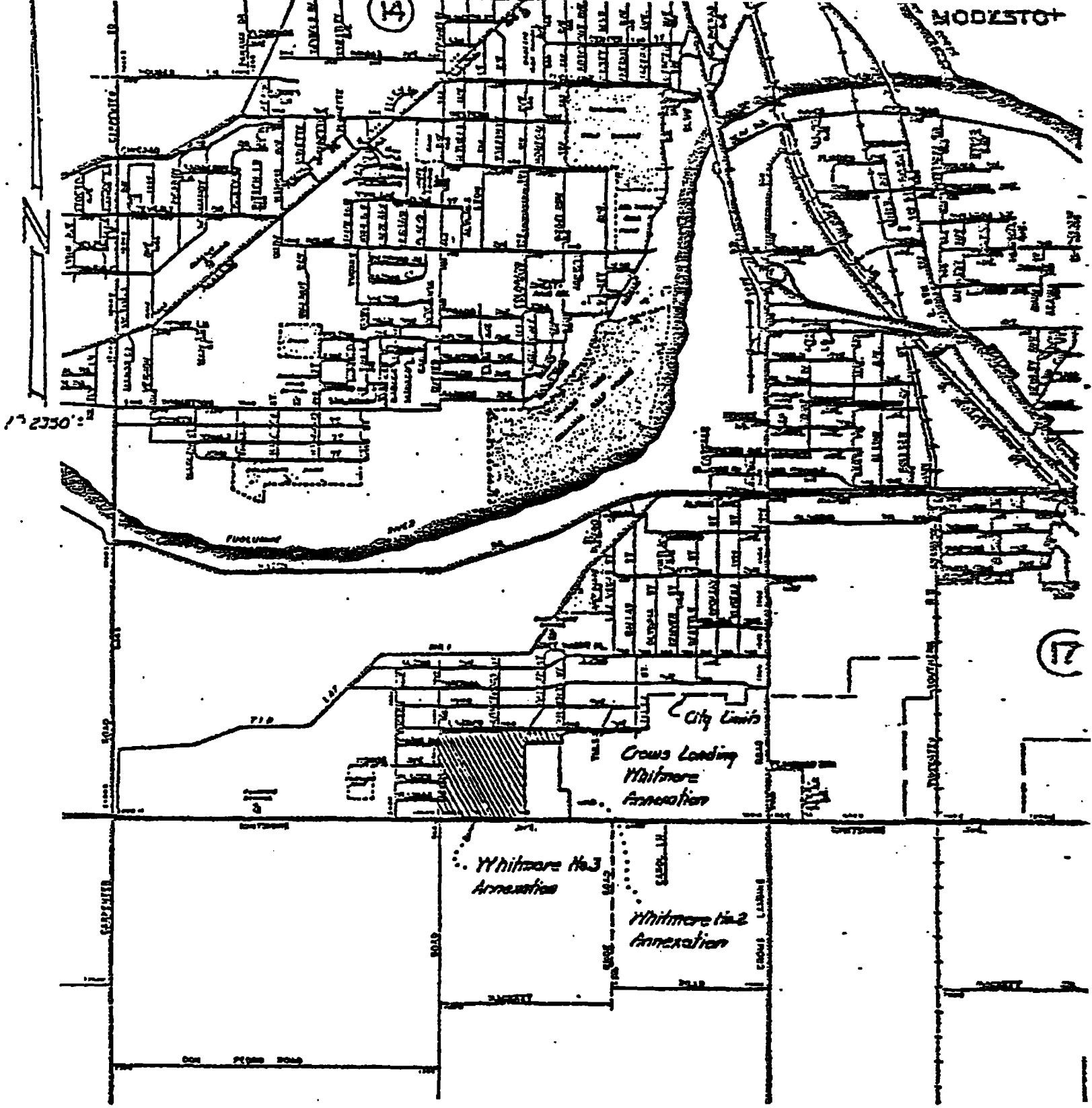
(430) WHITMORE No. 2 ANNEXATION • Filed 11-20-80 • Inst. No. 32240

BASIS OF BEARINGS: S. 89°20'00" E. for the south line of Rutherford Tract as per map filed 3-19-47 in Volume 16 of MAPS, Pg. 37, Stanislaus County Records.

CITY OF MODESTO
WHITMORE No. 3 ANNEXATION
76.468 ACRES

1-13-81 RBJ

5-A



PROPOSED

WHITMORE No. 3 ANNEXATION

To The City of Modesto, Ca.

R.O.S. 1-12-81

MODESTO CITY COUNCIL
RESOLUTION NO. 81-288

A RESOLUTION GRANTING APPROVALS TO CASA, A LOCAL COMMUNITY CENTER, FOR THE USE OF WEST SIDE PARK AND FOR A PARADE TO CELEBRATE CINCO DE MAYO ON MAY 9, 1981, IN THE CITY OF MODESTO, SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, Casa, a local community center, (hereinafter referred to as Casa) has filed requests with the City Council for permission to use West Side Park as part of its May 9th celebration of Cinco de Mayo, and

WHEREAS, Casa has also filed requests relating to its parade in connection with its May 9th celebration of Cinco de Mayo, and

WHEREAS, the Council deems it appropriate to grant approvals to Casa relating to its May 9th celebration of Cinco de Mayo, subject to certain conditions,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby approve the following, subject to the conditions set forth, relating to the use of West Side Park by Casa on May 9, 1981:

1. Casa may use West Side Park on Saturday, May 9, 1981, from 6:00 o'clock a.m. to 6:30 o'clock p.m. with activities to occur from approximately 12:00 o'clock noon to 5:00 o'clock p.m.

2. Third Street, between G Street and Sierra Drive may be closed to all traffic except emergency vehicles on Saturday, May 9, 1981, from 12 o'clock noon to 5:00 o'clock p.m., subject to the approval of the Chief of Police of the City of Modesto, in order that Casa may have a car show. Casa shall provide, at its own expense, necessary security in West Side Park, and security to maintain the closure of Third Street, between G Street and Sierra Drive referred to herein.

3. The City of Modesto will supply the necessary barricades to close Third Street, between G Street and Sierra Drive referred to in paragraph 2 above. The barricades will be deposited by City near the corner of 3rd and G Streets. Casa shall be responsible for placing the barricades to close 3rd Street between G Street and Sierra Drive, and for removing and returning the barricades to the location where they were deposited by the City. The City of Modesto will remove the barricades from that location.

4. The City of Modesto will provide extra trash containers in West Side Park on Saturday, May 9, 1981.

5. Casa may erect a stage in West Side Park for its Cinco de Mayo celebration, said stage to be removed from said park by 12:00 o'clock noon, on Sunday, May 10, 1981. All expenses in connection with the erection and removal of said stage shall be borne by Casa.

6. The City of Modesto hereby grants permission to Casa to allow vendors to sell food, beverages, games and other small items in West Side Park on Saturday, May 9, 1981, and Casa agrees to determine from each such vendor that they have the necessary business license from the City of Modesto permitting them to conduct the business of selling the items referred to herein. Casa will deny permission to any vendor who has not obtained the necessary City of Modesto business license.

7. Casa will also inform each of the vendors who are permitted to sell food and beverages in West Side Park on Saturday, May 9, 1981, that they must comply with the provisions of the City of Modesto's Fire Prevention Code, which prohibits the use of liquid gas and/or liquid fuel in connection with the cooking and warming of foods and beverages.

8. In the event of any disagreement over the right of any person or organization to use West Side Park, the City's Director of Parks and Recreation shall have the right to make the final determination.

9. Casa shall remove any excess trash and debris from West Side Park which is generated as a result of the Cinco de Mayo celebration, and which cannot be placed in the trash containers placed in the park. The removal of any excess trash and debris which cannot be placed in the trash containers shall be completed by Casa by 12:00 o'clock noon on Sunday, May 10, 1981.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that it does hereby approve the following subject to the conditions set forth, relating to Casa's May 9, 1981, Cinco de Mayo parade:

1. The City's reviewing stand with canvas top will be placed on "I" Street close to the cannon in the Courthouse Park by City personnel, on Friday, May 8, 1981, for the use of the parade on Saturday, May 9, 1981.

2. Casa is granted permission to use a public address system at the reviewing stand. Said public address system to be furnished by Casa.

3. The following parade route is approved as the parade route to be used on May 9, 1981, subject to approval of the Chief of Police and Director of Parking and Traffic; starting at 10th and H. Streets; north on 10th to J Street; east on J Street to 12th Street; south on 12th to I Street; west on I to 11th Street; south on 11th to H Street; then dismantle.

4. In connection with said parade route referred to above in paragraph No. 3, the City will supply all street barricades to close the intersections of the streets involved. City shall be responsible for placing the street barricades to close the intersections of the streets involved, and at the end of the parade City shall be responsible for removing all barricades from the street intersections.

5. The City will provide a street sweeper and operator to clean up after

the equestrian units in the parade.

BE IT FURTHER RESOLVED that the following conditions shall apply to the requests of Casa relating to all of its Cinco de Mayo celebration events:

1. The City of Modesto shall indemnify and hold harmless Casa from any and all liability, costs, damages, or injuries to persons or damage to property, which may arise out of or in any way be connected with the ordinary and customary condition of City property and facilities, or which may arise out of the negligent acts or omissions of any officer, agent, or employee of the City of Modesto.

2. Casa shall indemnify and hold harmless the City of Modesto, its officers, agents and employees, from any and all liability, costs, damages, or injuries to persons or damage to property, which may arise out of or in any way be connected with Casa's use of West Side Park, and the streets and areas adjacent thereto.

3. Casa shall furnish to the City Clerk current and valid certificates of insurance evidencing public liability insurance as shall protect Casa and its agents and employees from claims for damages for bodily injury and property damage which may arise out of Casa's use of West Side Park and the streets adjacent thereto.

The amount of public liability insurance shall be as follows: Public Liability insurance in an amount not less than Three Hundred Thousand and no/100ths ($300,000.00) Dollars as the result of any one occurrence because of bodily injury, sickness, and disease including death therefrom (hereinafter called "bodily injury"), sustained by any one person; and Five Hundred Thousand and no/100ths ($500,000.00) Dollars as the result of one or more occurrences because of "bodily injury", and insurance in an amount of not less than One Hundred Thousand and no/100ths ($100,000.00) Dollars as the result of any one or all occurrences for property damage, or a combined single limit policy of Five Hundred Thousand and no/100ths ($500,000.00) Dollars.

Casa's liability policies, and the valid certificates of insurance which are to be furnished to the City Clerk shall contain contractual liability provisions stating that the policies are extended to cover the liability assumed by Casa under the terms of this resolution, and the liability policies, and the certificates of insurance to be furnished to City, shall not permit cancellation of said insurance unless thirty (30) days' prior written notice is furnished to the City Clerk of the City of Modesto.

BE IT FURTHER RESOLVED that the City Clerk shall furnish Casa with a copy of this resolution. Casa shall file a written acceptance of this resolution with the City Clerk, and no right shall be conferred hereby until said acceptance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Seal)

APPROVED AS TO FORM:

By Elwyn I. Johnson
ELWYN I. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-289

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND B. DENNIS MCDONALD OF RED TOP TAXI FOR A CONCESSION AT THE MODESTO CITY/COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and B. Dennis McDonald of Red Rop Taxi **for** renewal of a concession at the Modesto City-County Airport **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th **day of** April, **19**81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-290

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND KENNETH K.AND SUSAN K. HOLCOMB FOR LEASE OF THE FORMER CRISMON HOUSE LOCATED ON FUTURE DRY CREEK PARK AREA

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Kenneth K. and Susan K. Holcomb **for** lease of the former Crismon house located on future Dry Creek Park area **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th **day of** April, **19** 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-291
AMENDED

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND STORER TRANSPORTATION CHANGING FROM 5 YEARS TO 2 YEARS THE LICENSED DRIVING EXPERIENCE REQUIREMENT FOR DIAL-A-RIDE VEHICLE DRIVERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Storer Transportation changing from 5 years to 2 years the licensed driving experience requirement for Dial-A-Ride vehicle drivers

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th **day of** April, **19** 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 292

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan for the City of Modesto was adopted by Modesto City Council Resolution No. 67-66 pursuant to Rule 2 of the Personnel Rules and Regulations of the City of Modesto, and

WHEREAS, the City Manager has recommended to the Council amendments to the Position Classification Plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that revisions to the classification plan shall be effective upon adoption of resolution of the City Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. CLASSIFICATIONS ABOLISHED. The Position Classification Plan of the City of Modesto is hereby amended to abolish the following classifications:

CLASSIFICATIONS ABOLISHED

Management Assistant - Risk Manager

Personnel Clerk

Assistant Public Services Inspector

SECTION 2. CLASSIFICATIONS CREATED. The Position Classification Plan of the City of Modesto is further amended to create new classifications as follows:

CLASSIFICATIONS CREATED

Assistant City Attorney I

Risk Manager

Senior Accountant

Public Services Inspector

The specifications for the classifications created, as shown on the attached Exhibits "A", "B", "C", and "D", which are hereby made a part of this resolution by reference, are hereby approved and made a part of the Position Classification Plan.

SECTION 3. CLASSIFICATIONS AMENDED. The Position Classification Plan of the City of Modesto is further amended to amend the specifications for the following classifications as shown on Exhibits "E", "F", "G", "H", "I", "J", "K", "L", "M", "N", "O", "P", "Q", "R", "S", "T", "U" and "V", attached hereto and hereby approved and made a part of the Position Classification Plan of the City of Modesto:

Director of Management Services

Personnel Manager

Management Assistant

Administrative Analyst

Deputy City Attorney I/II

Assistant City Attorney II

Accountant

Purchasing Officer

Programmer Analyst

Data Processing Supervisor

Assistant Property Agent

Property Agent

Building Maintenance Supervisor

Secretary to the City Manager

Senior Personnel Technician

Personnel Technician

Senior Personnel Clerk

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1981,

by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

ASSISTANT CITY ATTORNEY I
ASSISTANT CITY ATTORNEY II

DEFINITION

This series specification describes two classes which have responsibilities to provide legal information and counsel to City officials and other employees regarding the legality of municipal government operations; to represent the City in litigation; to provide general legal assistance to the City Attorney; and to do related work as required.

DISTINGUISHING CHARACTERISTICS

Assistant City Attorney I and II are distinguished by the Assistant City Attorney II performing duties involving higher levels of City administration and the most difficult problems of legal research and trial preparation. When the employee's Personal Action form shows one year of satisfactory performance as an Assistant City Attorney I, he/she will be promoted to Assistant City Attorney II.

EXAMPLES OF DUTIES

Assists the City Attorney in providing legal counsel to City personnel regarding the legality of municipal government operations; represents the City in civil actions and in cases involving the violations of the Municipal Code; conducts legal research in connection with assigned projects and cases; prepares complaints; examines and analyzes court rulings and legislation with regard to their effect on municipal government operations; prepares opinions, briefs, and pleadings in connection with assigned projects and cases; drafts ordinances, resolutions, charter amendments, and contract documents; acts as legal advisor to boards and commissions giving legal opinions and advice; makes tentative decisions concerning advisability to prosecute, compromise, or dismiss litigation and discusses recommendations and problems with the City Attorney; acts for the City Attorney in his/her absence.

SPECIAL REQUIREMENTS

Active membership in the California State Bar.

Incumbents will be required to file a Statement of Economic Interests.

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

For each class, all those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

Principles of civil, administrative, and constitutional law;
Sections of the California Civil and Government Codes directly pertinent to municipal government operations;
Trial procedures.

and

Ability to:

Perform legal research;
Investigate and prosecute civil complaints and complaints involving violations of the Municipal Code;
Analyze and apply legal principles, precedents, and facts to legal problems;
Provide legal counsel to City employees, boards and commissions;
Effectively represent the City in court proceedings;
Present laws, facts, and arguments clearly and logically in written and oral form;
Establish and maintain cooperative relationships with those contacted during the course of work.

and

Experience:

Assistant City Attorney I: Three years experience in the practice of civil or municipal law.

Assistant City Attorney II: Four years experience in the practice of civil or municipal law.

RISK MANAGER

DEFINITION

Under general direction, to plan, coordinate, and administer the City's programs in Risk Management - including but not limited to Property and Casualty Insurance, Worker's Compensation, employee safety, and public loss prevention programs; to develop factual information and present recommendations to the Director of Management Services; and to perform related work as required.

EXAMPLES OF DUTIES

Supervises, plans, trains, organizes, and directs Risk Management staff; conducts employee safety inspection and the public loss prevention surveys, and prepares recommendations for corrective action; prepares and distributes safety material and aides; implements and conducts safety training for City employees; surveys and develops adequate and appropriate insurance protection covering all City owned real and personal properties, public liability, worker's compensation, and employee bonds; administers public liability self-insured program; investigates and adjusts claims; administers worker's compensation self-insured program and closely monitors claims' administrators activities; maintains accurate statistical records and provides quarterly and annual reports for distribution of injury/accident experience within the City departments/ divisions; maintains complete and confidential records and files; conducts special surveys, gathers and analyzes the information, and prepares recommendations to the Director of Management Services.

SPECIAL REQUIREMENTS

Incumbents will be required to file a Statement of Economic Interests.

Possession of an appropriate vehicle operator's license issued by the California Department of Motor Vehicles within one month after appointment.

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

Principles of organization, administration, and management;
Worker's Compensation, general liability, and its applicable laws;
Property insurance;
Bonds;
General safety orders (Cal-Osha);
Safety engineering principles procedures and techniques;
Statistical methods and graphic presentations;
Completed staff work in oral and written presentations;
Principles of supervision and training.

and

Ability to:

Plan, organize, and direct City programs in Risk Management;
Assume responsibility for and provide supervision to Worker's Compensation, public liability, property, employee safety, and public loss prevention functions;
Effectively communicate with officials, employers, and with the public, in group meetings and in discussions;
Prepare completed staff work for oral and written reports;
Interpret rules, laws, policies, and apply them with good judgement;
Establish and maintain cooperative working relationships with other agency officials, attorneys, departmental representatives, employees, and the public.

and

Experience:

Two years or more as Risk Management Technician II with the City of Modesto,

or

Four years of increasingly responsible experience in the management and operation of Risk Management programs including: Worker's Compensation, public liability, property insurance, employee safety, and public loss prevention.

DEFINITION

Under direction, to train and supervise subordinate professional and clerical staff; to perform difficult professional accounting and auditing duties; to prepare and interpret financial statements or reports; to establish new accounting procedures and controls; and to perform related duties as required.

DISTINGUISHING CHARACTERISTICS

This is the third level of the professional accounting series. Incumbents in this class are distinguished from Accountant by the performance of significantly more difficult work and by the degree of independence of action exercised. Incumbents are assigned supervision over a major functional area of the Finance Department accounting and auditing responsibilities.

EXAMPLES OF DUTIES

Plans, coordinates, and supervises a major functional area of accounting and/or auditing; trains, assigns work to, and evaluates professional accounting and clerical staff; advises management on accounting standards and procedures and on other related budget and fiscal matters; reviews and evaluates laws, controls, grants, and administrative policies for guidelines in performing accounting and fiscal operations; establishes, maintains, and makes recommendations on the implementation of accounting system revisions; prepares a variety of detailed accounting, statistical and/or narrative financial reports requiring analysis and interpretation; examines, analyzes and verifies fiscal documents to insure adherence to established internal controls.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

Incumbents will be required to file a Statement of Economic Interests.

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Skills:

Must possess skills to demonstrate success in supervising, training, research, and analysis of complex accounting systems;
Must perform completed staff work in oral and written presentations.

Knowledges:

Considerable knowledge of:
Supervisory principles and practices in a governmental agency;
Principles and procedures of accounting, cost accounting and auditing;
Technical report preparation;
Governmental accounting principles and procedures.

Good knowledge of:

- Laws, rules and regulations affecting governmental fiscal operations;
- Modern office practices and methods;
- Electronic data processing as it relates to accounting procedures and practices.

Ability to:

- Plan, initiate and complete work assignments with a minimum of direction;
- Supervise, train and evaluate the work of subordinates;
- Understand and apply legal requirements and administrative policies to accounting functions;
- Interpret and analyze complex fiscal data and draw logical conclusions;
- Provide financial analysis and fiscal interpretation of data to management;
- Define accounting problem areas and recommend solutions through completed staff work;
- Prepare comprehensive and complex statistical and financial reports;
- Communicate effectively both orally and in writing;
- Establish and maintain complex fiscal records and documents;
- Establish and maintain cooperative relationships with those contacted during the course of work.

Experience:

Two (2) years of professional accounting experience comparable to an Accountant with the City of Modesto.

Education:

Graduation from an accredited college or university with a major in accounting, economics, finance, or a closely related field. If the major has been in a field other than accounting, at least eighteen (18) units of college level accounting courses should have been completed.

DEFINITION

Under general supervision, to receive and make field investigations of complaints concerning suspected violations of laws, regulations, and ordinances regarding refuse and noise, to seek compliance with laws, regulations, and ordinances concerning refuse and noise control; and to do related work as required.

EXAMPLES OF DUTIES

Receives, documents, and investigates complaints concerning refuse collection, refuse hazards, and noise pollution; reviews proposed developments to assure adequate consideration has been given to noise and refuse problems; may issue notices of violation of non-compliance during investigations and perform follow-up investigations to insure that appropriate corrections have been made; acts as liaison between private garbage companies and customers to insure settlement of disputes; takes noise readings on public events such as athletic contests and rock concerts; performs residential and commercial noise studies; checks fire and police sirens to assure meeting of state requirements; explains refuse and noise laws, regulations, and ordinances to the public; does a variety of research to establish background for non-compliance reports and investigations; maintains a complaint ledger, files, and other records of investigations; prepares case reports; keeps abreast of applicable laws, ordinances, and minutes to be aware of changaes and variations; prepares correspondence and reports.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

EMPLOYMENT STANDARDS

Knowledge of:

- Inspection methods and techniques;
- Appropriate laws, regulations, and ordinances governing refuse and noise;
- Departmental enforcement policies;
- Geography of City of Modesto;
- Processes of refuse collection and recycling waste products;
- Symbols and terms used in blueprints, maps, and architectural drawings;
- Use of noise measuring instruments;
- Safe work practices and procedures;
- Public Relations approaches in gaining compliance.

Ability to:

- Act resourcefully with minimum supervision;
- Interpret laws, rules, ordinances, and regulations;
- Read maps, blueprints, and architectural drawings;
- Observe and record findings during investigations;
- Prepare concise written and oral reports;
- Understand and follow oral and written instructions;
- Be firm, consistent, and respectful in an enforcement situation;
- Establish and maintain cooperative relationships with those contacted during the course of work.

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EXHIBIT D

Experience and Education:

A minimum of education and experience to demonstrate knowledges and abilities listed above. This includes completion of the twelfth grade and three (3) years of clerical, technical or sub-professional experience in law enforcement, public works engineering, building or zoning code enforcement, or other full-time municipal government work requiring extensive public contact.

DIRECTOR OF MANAGEMENT SERVICES

DEFINITION

Subject to administrative determination of policy, to direct the Management Services Department; to assist in the planning and direction of city administration; to conduct employee relations activities; to perform and direct administrative staff functions as delegated by the City Manager; and to do other related duties as required.

EXAMPLES OF DUTIES

Under administrative direction of the City Manager, confers with and provides information and advice to the City Manager and department heads concerning personnel needs and staffing; conducts employee relations by conferring and/or consulting with employee organizations; assists in administering the classification and pay plan; gives general direction to the Personnel, Risk Management, Citizen Services, Office Services, Word Processing, and Microfilming sections and assigns work as needed; supervises policy and legislative analysis and proposals for grants-in-aid; studies and recommends solutions to city administrative problems as they develop; represents the City Manager in a wide variety of meetings with representatives of other governmental units and local citizen groups; supervises and prepares special studies, memoranda, and letters for the Manager; analyzes and makes recommendations concerning budget requests; acts as liaison between the City and the Human Rights Commission.

SPECIAL REQUIREMENTS

Incumbents will be required to file a Statement of Economic Interests.

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

EMPLOYMENT STANDARDS

Knowledge of:

- Principles and practice of public personnel administration, including employer-employee relations, recruitment, classification and pay;
- Principles and practices of public administration;
- Organization, operations, and problems of municipal government;
- Federal and state laws and regulations applicable to municipal government;
- Sources of information regarding municipal and administrative problems and methods including workers compensation, loss prevention, safety and public liability and property insurance;
- Completed staff work in oral and written communications;
- Principles of management, supervision and training.

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EXHIBIT E

and

Ability to:

Act as spokesperson for the City Manager when conferring and/or consulting with representatives of employee organizations;
Coordinate and direct the activities of a city department;
Analyze facts and express ideas clearly and concisely in both oral and written communications;
Prepare completed staff work for oral and written communications;
Supervise and train subordinate employees;
Maintain effective working relationships with other officials, employees, employee organizations, and the public.

and

Experience:

Five years of progressively responsible local government management experience, with a minimum of one year or more experience as a full participant in the public meet-and-confer process. Preference will be given to those with recent experience as City Managers, Assistant City Managers or Employee Relations Officers.

and

Education:

Graduation from an accredited college or university with specialization in public or business administration, industrial relations, the behavioral sciences, or a closely related field. (A Master's Degree in an appropriate field may be substituted for one year of experience, other than meet-and-confer.)

PERSONNEL MANAGER

DEFINITION

Under general direction, to plan, coordinate and administer City programs in personnel, training, and affirmative action; to develop information and present recommendations to the Director of Management Services; and to do related work as required.

EXAMPLES OF DUTIES

Supervises and gives general direction to the City Personnel Office including personnel policies, rules, regulations, classifications, recruitment, testing and selection; confers with and provides information; advises the Director of Management Services and department heads concerning personnel needs, manpower planning requirements, and personnel policies and programs; develops and administers City affirmative action programs; develops and coordinates city supervisory and management training programs; prepares classification and salary studies; maintains and revises procedures and records relating to the central personnel functions including personnel files, performance evaluations, deferred compensation, retirement, service awards and suggestion system; counsels employees and supervisors on personnel problems; participates in the meet and confer process; acts as liaison between the City and insurance companies on group insurance; does research and analysis; stays knowledgeable of current legislation and/or court decisions affecting public personnel management; prepares recommendations on a variety of letters, memoranda, reports and special studies for the Director of Management Services; as required, provides staff support to the Board of Personnel Appeals.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

Incumbents will be required to file a Statement of Economic Interests.

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

- Principles and practices of personnel administration, employer-employee relations, and affirmative action;
- Principles of organization, administration and management;
- Completed staff work in oral and written presentations;
- Laws, rules and regulations affecting public sector personnel programs;
- Methods of job analysis and position classification;
- Task analysis and critical incident methodology;

Test measurement theory;
Item types and item writing techniques;
Adverse impact analysis;
EEOC documentation requirements;
Content, criterion and construct validity requirements;
Technical writing styles and English composition fundamentals;
Survey and sampling techniques;
Basic statistical techniques;
Interviewing techniques for both individuals and groups;
Principles of supervision and training.

and

Ability to:

Plan, coordinate, and administer City programs in personnel, training and affirmative action;
Assume responsibility for and provide supervision to specific personnel functions;
Determines priorities, assigns work to, and train subordinate personnel;
Effectively communicate with administrators, employees, employee organization representatives, and the public in group meetings and discussions;
Prepare completed staff work for oral and written reports;
Perform technical report writing with skill and clarity;
Set self priorities and structure time;
Work under pressure;
Adapt with flexibility to change;
Assume increasing responsibility;
Perform highly technical personnel work;
Conduct and secure information from personal interviews;
Interpret rules, laws, and policies and apply them with good judgment;
Compile and analyze information and make appropriate recommendations;
Perform job duties in a manner assuring a safe working environment for oneself and other;
Work and control sensitive, confidential information on assignment;
Establish and maintain effective working relationships with the general public, co-workers, supervisors, and members of diverse cultural and linguistic backgrounds, regardless of race, creed, color, religion, sex, age or handicap.

Experience:

Four years of public agency personnel experience with a minimum of one year of supervision of a public agency personnel office or a major division or section of such an office.

and

Education:

Graduation from an accredited four-year college or university with a degree in public or personnel administration, industrial relations, industrial psychology, communication, the behavioral sciences, or a closely related field. A Master's Degree in an appropriate field may be substituted for one year of experience, except for the one year of supervisory experience.

MANAGEMENT ASSISTANT

DEFINITION

Under direction, to perform a variety of administrative functions; to perform responsible staff work and research in organizational, procedural and governmental activities for the Director of Management Services; to initiate and coordinate grants-in-aid proposals; to monitor pending legislation and provide legislative analysis; and to do related work as required.

EXAMPLES OF DUTIES

Conducts regular and special studies including the collection of data, analysis and summary of results and interpretation and evaluation of findings; makes written and oral reports; reviews and makes recommendations on the impact of pending state and federal legislation; acts as liaison to league, state or federal staff officials; reviews grants availability, recommends such availability, develops strategies to implement City policies and coordinates City effort at obtaining grants-in-aid; attends various City Council, Commissions and other governmental meetings, as assigned; serves as staff to Council Committees, as assigned; reviews and responds to citizen's requests for services; provides economic and statistical analysis and makes recommendations; reviews administrative practices and makes recommendations for improvements; develops and implements public relations activities; may plan, supervise and evaluate the work of subordinate personnel.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

Incumbents will be required to file a Statement of Economic Interests.

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

Local, state and federal governmental structure and process;
California Legislature and federal congressional procedure;
Principles of organization, administration, and management;
Public finance and budgeting;
Modern office methods and procedures;
Statistical methods and methods of graphic presentation;
Completed staff work in oral and written presentation.

and

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EXHIBIT G

Ability to:

Conceptualize, develop alternatives, and recommend action for top management in a public official decision - making structure;
Learn and coordinate the City's grants-in-aid proposals;
Analyze and interpret factual data;
Prepare completed staff work for oral and written presentations;
Speak and write effectively;
Work in harmony with other members of City staff;
Establish and maintain cooperative relations with co-workers, departmental representatives, and the general public.

and

Experience:

One year as Administrative Analyst with the City of Modesto

or

Three years of fulltime municipal government staff work, with direct assignment to a City Manager, agency, division or department head.

and

Education:

Graduation from an accredited college or university with major study in public or business administration, the behavioral sciences, or some closely related field. (A Master's degree in public or business administration is highly desirable and may be substituted for one year experience.)

ADMINISTRATIVE ANALYST

DEFINITION

Under general supervision, to provide administrative staff support in organizational and systems studies, budget development analysis, and monitoring; to perform research and other technical analytical work; and to do related work as required.

EXAMPLES OF DUTIES

Plans, recommends, monitors, and evaluates organizational system changes; develops, analyzes, and reviews divisional and department budgets; makes recommendations concerning the allocation of employees, equipment, and funds to various projects; makes written and oral reports as directed; attends various city commission and council meetings, as assigned; reviews and responds to citizens requests for services; reviews and makes recommendations concerning pending legislation; may plan, supervise, and coordinate the work of subordinate personnel; may assist in department training programs; may review and make recommendations concerning department safety activities; studies existing procedures and makes recommendations for improvements; assists in public relations activities; provides statistical analysis concerning productivity and other related subjects.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

Incumbents will be required to file a Statement of Economic Interests.

All those appointed shall complete twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

Local, state and federal governmental structure and process;
Principles of organization, administration, and management;
Technical report writing styles;
Modern office methods and procedures;
Statistical methods and methods of graphic presentation;
Completed staff work in oral and written presentations.

and

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EXHIBIT II

Ability to:

Analyze and interpret factual data;
Speak and write effectively;
Perform technical report writing with a high degree of skill and clarity;
Prepare completed staff work for oral and written presentations;
Work in harmony with other members of City staff;
Establish and maintain cooperative relations with co-workers, departmental representatives, and the general public.

and

Experience:

Two years of full-time municipal government staff work, with direct assignment to the office of a department, division, or agency head, or the office of a city or county administrative officer.

and

Education:

Graduation from an accredited college or university with major study in public or business administration, the behavioral sciences, or some closely related field. (A Master's degree in public or business administration is highly desirable and may be substituted for one year's experience.)

DEPUTY CITY ATTORNEY I
DEPUTY CITY ATTORNEY II

DEFINITION

This series specification describes two classes which have responsibilities to perform legal work related to municipal government operations; to conduct legal research; and to do related work as required.

DISTINGUISHING CHARACTERISTICS

Deputy City Attorney I and II are distinguished by the Deputy City Attorney II performing duties involving higher levels of City administration and performing more difficult assignments. When the employee's employment history shows two years of satisfactory performance as a full-time attorney, he/she will be promoted to Deputy City Attorney II.

EXAMPLES OF DUTIES

Confers with, advises, and prepares opinions for City departments, boards, commissions, officers, and employees on legal questions pertaining to their duties, powers, functions, actions, and responsibilities; represents the City and City officials in civil actions; represents the City in cases involving violations of the Municipal Code; prepares ordinances, resolutions, contracts, leases, deeds, and other legal documents; prepares memoranda of law on legal questions; performs other legal duties, as directed.

SPECIAL REQUIREMENTS

Active membership in the California State Bar.

Incumbents will be required to file a Statement of Economic Interests.

Possession of an appropriate license issued by the California Department of Motor Vehicles within one month after appointment.

For each class, those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

Legal principles and their application;
Legal research methods;
The principles of administrative and constitutional law.

and

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EXHIBIT I

Ability to:

Perform legal research;
Analyze and apply legal principles and precedents to legal problems;
Present statements of fact, law, and arguments clearly and logically;
Draft rules and regulations and proposed legislative measures.

and

Experience:

Deputy City Attorney I: No experience is required; however, those with experience in the practice of law after attainment of membership in the California State Bar will be given preference.

Deputy City Attorney II: Two year's experience in the practice of civil or municipal law.

ACCOUNTANT

DEFINITION

Under direction, to perform professional accounting and auditing duties; to prepare and interpret financial statements or reports; to establish new accounting procedures and controls; and to perform related duties as required.

DISTINGUISHING CHARACTERISTICS

This is the second level of the professional accounting series.

Incumbents in this class are distinguished from Junior Accountant by the performance of more difficult work and by the degree of independence of action exercised. Incumbents may be assigned supervision over a functional area of the Finance Department accounting and auditing responsibilities.

EXAMPLES OF DUTIES

Reviews and evaluates laws, controls, grants, and administrative policies for guidelines in performing accounting and fiscal operations; establishes, maintains, and makes recommendations on the implementation of accounting system revisions; prepares a variety of detailed accounting, statistical and/or narrative financial reports requiring analysis and interpretation; examines, analyzes and verifies fiscal documents to insure adherence to established internal controls; may train and supervise professional accounting and clerical staff.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

Incumbents will be required to file a Statement of Economic Interests.

Those appointed shall serve a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Skills:

Must possess skills to demonstrate success in research and analysis of complex accounting systems.

Knowledges:

Considerable knowledge of:
- Principles and procedures of account classifications;
- Principles of auditing;
- Principles of technical report preparation;
- Governmental accounting principles and procedures.

Good knowledge of:
- Laws, rules and regulations affecting governmental fiscal operations;
- Modern office practices and methods;
- Electronic data processing as it relates to accounting procedures and practices;
- Principes of supervision and training.

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EXHIBIT K

Ability to:

Complete work assignments with a minimum of direction;
Understand and apply legal requirements and administrative policies to accounting functions;
Interpret and analyze complex fiscal data and draw logical conclusions;
Provide financial analysis and fiscal interpretation of data to management;
Prepare comprehensive and complex statistical and financial reports;
Communicate effectively both orally and in writing;
Establish and maintain complex fiscal records and documents;
Establish and maintain cooperative relationships with those contacted during the course of work.

and

Experience:

Two years or more experience comparable to a Junior Accountant with the City of Modesto.

and

Education:

Graduation from an accredited college or university with a major in accounting, economics, finance, or a closely related field. If the major has been in a field other than accounting, at least eighteen (18) units of college level accounting courses should have been completed.

PURCHASING OFFICER

DEFINITION

Under general direction, to plan, coordinate and administer City programs in the centralized purchasing of materials, supplies and equipment; to develop and prepare specifications and material standards; to solicit formal bids and submit recommendations for purchases; to give direction to the City's warehousing program; and to do related work as required.

EXAMPLES OF DUTIES

Plans, lays out, and supervises the work involved in conducting a centralized purchasing program for the City; reviews or supervises the review of purchase requisitions for accuracy, completeness, adequacy of description, and conformance to adopted budgets and policies; writes and assists in the preparation and/or modification of specifications for material, equipment, and services; solicits both formal and informal bids in written and oral communication; negotiates with vendors; conducts formal bid openings; analyzes bids and quotations, selects vendors, makes awards, and issues purchase orders; prepares Council presentations and makes recommendations on bids requiring formal procedures; expedites deliveries; negotiates and processes business machine rental and maintenance agreements; recommends business machine replacement and arranges for special repairs and rebuilding; directs inspection of received goods and services and the processing of damage claims; insures the proper follow-up of unfilled or improper shipments; provides guidance and writes procedures for stores inventory control, establishing order points and buying responsibility; develops new sources of materials and equipment; researches inventory problems; oversees the maintenance of bidder lists and product files; meets and confers with vendors, factory representatives, and City staff regarding purchasing activities; maintains the City's key control system; recommends changes in purchasing procedures.

SPECIAL REQUIREMENTS

Incumbents will be required to file a Statement of Economic Interests.

Possession of an appropriate license issued by the California Department of Motor Vehicles within one month after appointment.

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

- Principles, procedures, and practices relating to the purchasing of materials and equipment;
- Market conditions, current prices, trade names and brands relating to purchasing for a municipality;

Laws and regulations applicable to bidding procedures and purchasing operations;
Sources of supply and methods of securing competitive bids;
Proper methods of establishing specifications;
Quantity, quality, and types of materials and equipment used by a municipality;
Methods of stores inventory control;
Principles of supervision and training.

and

Ability to:

Make accurate price and quality comparisons in the evaluation of bids and materials and equipment needs;
Analyze purchasing procedures and recommend improvements;
Establish adequate inventory controls and stock replacement procedures;
Prepare equipment and materials specifications;
Keep accurate records;
Prepare oral presentations and written reports;
Plan, supervise, and evaluate the work of a purchasing staff;
Establish and maintain cooperative relationships with those contacted during the course of work.

and

Experience:

Four years of increasingly responsible full-time buying or public purchasing work.

and

Education:

Graduation from an accredited college or university with a major in business administration or merchandising. (Additional qualifying experience may be substituted for the required education on a year-for-year basis.)

PROGRAMMER ANALYST

DEFINITION

Under direction, to program applications for a digital computer; to analyze and develop programming specifications and processing systems; and to do related work as required.

EXAMPLES OF DUTIES

Analyzes existing processing of data to develop alternative methods which utilize an electronic digital computer; develops overall systems and logic diagrams for a variety of applications; completes definitions of problems and prepares them for programming; prepares logic block diagrams; writes programs in symbolic language and/or machine language codes; checks coded programs prior to assembly; prepares test data for use in testing programs on a computer; corrects and revises program after testing, insuring proper form of input and output data; writes operating instructions for programs; advises potential users on the availability and uses of preprogrammed routines; prepares flow charts showing general program steps for complex applications; modifies existing programs; prepares program documentation; coordinates all phases of assigned projects; may operate an electronic digital computer during program test runs and in a back-up capacity for existing applications.

SPECIAL REQUIREMENTS

Incumbents will be required to file a Statement of Economic Interests.

Possession of an appropriate license issued by the California Department of Motor Vehicles within one month after appointment.

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

- Principles and methods of systems and procedures analysis;
- Principles and techniques of program planning;
- Control requirements for EDP systems;
- Symbolic programming languages;
- Operations and capabilities of electronic data processing equipment.

and

Ability to:

- Design and develop systems for processing data with digital computers;
- Develop, write and debug computer programs;
- Prepare manuals of data procedures and properly document prepared programs;
- Confer with current and potential users in the development of digital computer applications;

Work with statistical methods and procedures;
Establish and maintain cooperative relationships with those contacted during the course of work.

and

Experience:

One year as Programmer for the City of Modesto

or

Two years of experience in programming data processing applications for digital computers, which includes at least one year of experience in system analysis and design work.

DATA PROCESSING SUPERVISOR

DEFINITION

Under direction, to plan, organize, and supervise data processing activities of the City; to perform programming and systems analysis work; to oversee the operations activities and perform the most difficult computer operations work; and to do related work as required.

EXAMPLES OF DUTIES

Plans, organizes, and supervises the data processing activities of the City; schedules daily, weekly, and monthly job priorities for other City departments using the City's data processing service; works with other City personnel analyzing problem areas involving computer usage; coordinates programming, scheduling, and operations activities to insure maximum equipment utilization and the meeting of established deadlines; plans and designs new applications for electronic digital computer processing programs; performs systems design and programming work in the preparation of new applications; prepares test data for the debugging and testing of programs; tests, debugs, and recompiles debugged programs; prepares flow charts, procedures manuals, and operating instructions for data processing applications; designs forms and procedures for submission of imput data; reviews and analyzes data processing applications, identifying costs, benefits, and alternatives; prepares data processing budget estimates and controls budgetary expenditures; operates the computer for the most difficult jobs and during peak work periods; maintains liaison with manufacturers and other computer users to keep abreast of the latest developments and technical advancements in the field; insures the proper maintenance and repair of data processing equipment; establishes a data processing training program for the staff; evaluates the work of employees; interviews and recommends the hiring of new personnel; keeps records and prepares reports of data processing operations.

SPECIAL REQUIREMENTS

Incumbents will be required to file a Statement of Economic Interests.

Possession of an appropriate license issued by the California Department of Motor Vehicles within one month after appointment.

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

Principles and techniques of program planning, machine scheduling, budgeting, and related control requirements;

Operation of computer systems and related equipment;
Production capacities and general capabilities of data processing equipment;

Systems and procedures analysis and development;
Symbolic programming languages;
The application of computer systems to the functions of a City;
Principles of supervision and training.

and

Ability to:

Analyze job requirements, supervise, and coordinate the use of computer equipment to obtain desired results;
Confer with City administrators concerning uses of data processing equipment to insure the most practical and economical use of equipment;
Advise on new uses and adaptions of City data processing equipment;
Supervise and coordinate the development of new computer applications;
Perform systems analysis and programming work;
Train and supervise subordinates;
Establish a budget and control expenditures;
Prepare oral and written reports;
Establish and maintain cooperative relationships with those contacted during the course of work.

and

Experience:

Three years of increasingly responsible experience in computer operations or programming, or systems analysis and design, preferably including at least one year in a supervisory capacity.

ASSISTANT PROPERTY AGENT

DEFINITION

Under general supervision, to negotiate less complex agreements for the acquisition and purchase of real property for municipal purposes; to prepare less complex appraisal reports; to manage real property owned by the City; to secure rights-of-way, easements and leases; to provide relocation services for persons displaced by land acquisitions; and to do related work as required.

EXAMPLES OF DUTIES

Negotiates with property owners and their attorneys regarding acquisition of property for municipal purposes; prepares contracts and agreements to effect property acquisition for review by the Property Agent; works with appropriate personnel and agencies securing property description, title reports, and escrows; consults with appropriate City departments regarding zoning and land use problems which arise during negotiations; negotiates settlements and prepares agreements regarding relocation expense claims for persons displaced by property acquisitions, including securing replacement housing and moving expense bids; negotiates damage claims for the loss or relocation of existing improvements; coordinates activities with other jurisdictions on activities which have interjurisdictional implications; leases City-owned property and prepares lease agreements; handles complaints of leases, including the arrangement of necessary repairs; furnishes other City departments with lease information; confers with Finance Department regarding rentals and assists in efforts to keep rental payments current; gathers data and prepares a variety of reports; sells excess City land.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

Incumbents will be required to file a Statement of Economic Interests.

Probation: All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

Principles of property description;
Property management and leasing procedures;
Elements of a lease.

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EXHIBIT O

Ability to learn to:

Effectively and tactfully negotiate the acquisition of property for municipal purposes;
Prepare contract agreements.

Ability to:

Manage, operate, and lease properties owned by the City;
Prepare leases;
Gather and analyze a variety of complex data;
Prepare and make effective oral presentations;
Prepare comprehensive written reports;
Establish and maintain cooperative relationships with those contacted during the course of work.

Experience:

Two or more years full-time government experience in negotiation, valuation, real estate work or management of real property.

Education:

Equivalent to graduation from an accredited four year college or university with a major in business administration, economics, engineering or a related field.

PROPERTY AGENT

DEFINITION

Under direction, to negotiate agreements for the acquisition and purchase of real property for municipal purposes; to prepare appraisal reports; to manage real property owned by the City; to secure rights-of-way, easements, and leases; to provide relocation services for persons displaced by land acquisitions; and to do related work as required.

EXAMPLES OF DUTIES

Negotiates with property owners and their attorneys regarding acquisition of property for municipal purposes; prepares contracts and agreements to effect property acquisition for review by the City Attorney; confers with City administrative personnel regarding acquisition policies, problems, and strategies; works with appropriate personnel and agencies securing property descriptions, title reports, and escrows; consults with appropriate City departments regarding zoning and land use problems which arise during negotiations; works with and reviews appraisals furnished by independent property appraisers, requesting appropriate corrections and changes; negotiates settlements and prepares agreements regarding relocation expense claims for persons displaced by property acquisitions, including securing replacement housing and moving expense bids; negotiates damage claims for the loss or relocation of existing improvements; coordinates activities with other jurisdictions on activities which have inter-jurisdictional implications; leases City-owned property and prepares lease agreements; handles complaints of leases, including the arrangement of necessary repairs; furnishes other City departments with lease information; confers with Finance Department regarding rentals and assists in efforts to keep rental payments current; gathers data and prepares a variety of reports.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

Incumbents will be required to file a Statement of Economic Interests.

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

- Established standards governing the appraisal of real property;
- Property values and the effect of economic trends on value and price;
- Effects of construction and the cost of improvements on property values;
- Effects of deed and tract restrictions, zoning ordinances, setbacks, tax and improvement assessments, easements, and encroachments on property values;

Working knowledge of laws pertaining to the securing of land, improvements, and rights-of-way for public purposes;
Working knowledge of condemnation and real property laws;
Procedures involved in real estate transactions and title searches;
Principles of property description;
Property management and leasing procedures;
Federal, State, and local requirements for the handling of persons displaced by property acquisitions.

and

Ability to:

Effectively and tactfully negotiate the acquisition of property for municipal purposes;
Manage, operate, and lease properties owned by the City;
Prepare lease and contract agreements;
Gather and analyze a variety of complex data;
Prepare and make effective oral presentations;
Prepare comprehensive written reports;
Coordinate property acquisition, rental, and leasing activities with other City departments and public agencies;
Establish and maintain cooperative relationships with those contacted during the course of work.

and

Experience:

One year as Assistant Property Agent with the City of Modesto.

or

Three years or more of full-time government experience in negotiation, valuation, transfer, and management of real property.

and

Education:

Equivalent to graduation from an accredited four year college or university with a major in business administration, economics, engineering or a related field.

BUILDING MAINTENANCE SUPERVISOR

DEFINITION

Under direction, to be responsible for maintenance, alteration, and repair of City buildings, heating and air conditioning systems, and related equipment; to supervise janitorial personnel; and to do related work as required.

EXAMPLES OF DUTIES

Plans, assigns, supervises, trains, and evaluates the work of other employees involved in janitorial and/or building maintenance work; performs budgetary planning and controls expenditures; inspects City buildings to determine if repairs are needed; investigates and makes recommendations on purchase of building maintenance products and equipment; writes specifications; arranges for estimates and bid proposals and inspects work done by contractors; inspects, maintains and repairs air conditioning and heating equipment; maintains electronic and pneumatic control systems on boilers and air conditioning equipment; keeps a variety of records and reports for projects performed by janitorial and/or building maintenance crews; insures that work performed by assigned staff is in conformance with work standards; holds safety information meetings; may be required to respond to emergency calls regarding building equipment failures.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

Incumbents will be required to file a Statement of Economic Interests.

All those appointed shall serve a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

- Methods, tools and equipment used in cleaning, maintenance and repair of large commercial or public buildings;
- Methods, tools and equipment used in the maintenance and repair of heating, ventilating and air conditioning systems of large commercial or public buildings;
- Electronic and pneumatic control systems;
- Codes, laws and ordinances regarding heating, ventilating and air conditioning;
- Safe work practices;
- Principles of supervision and training;
- Budgetary planning and expenditure control.

and

EXHIBIT Q

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Ability to:

Plan, organize, supervise, train, and evaluate the work of assigned staff;
Understand and carry out oral and written instructions;
Demonstrate proficiency in assigned building trades work;
Recognize and locate conditions which require maintenance and repair work;
Use and care for hand and power tools utilized in the building trades;
Estimate time and materials needed to perform maintenance and repair jobs;
Read and interpret plans, specifications, blueprints, and drawings;
Think and act quickly in emergency situations;
Keep a variety of records and reports;
Adapt to changing safety requirements;
Establish and maintain cooperative relationships with those contacted during the course of work.

and

Experience:

Four years in repair and maintenance of heating, ventilating and air conditioning systems. One or more years in a lead or supervisory assignment is highly desirable.

and

Education:

High school graduation (or possession of G.E.D.).

SECRETARY TO THE CITY MANAGER

DEFINITION

Under direction, to perform responsible and confidential secretarial duties for the City Manager; to relieve the City Manager of a variety of administrative and clerical details; and to do related work as required.

DISTINGUISHING CHARACTERISTICS

The position allocated to this class exercises a considerable degree of initiative, tact, and mature judgment in performance of a variety of secretarial duties for the City Manager. Duties are performed under minimal supervision and require a comprehensive knowledge of City policies and procedures. The position may be required to provide secretarial and clerical assistance to the City Council and to members of the City Manager's immediate staff as needed.

SPECIAL REQUIREMENTS

All those appointed shall serve a twelve (12) month probation. Satisfactory performance and recommendation of the City Manager is required for regular status.

EXAMPLES OF DUTIES

Acts as confidential secretary to the City Manager and relieves him/her of a variety of administrative and clerical details; takes and transcribes dictation for letters, reports, and memoranda; types a variety of materials including correspondence, reports, resolutions, and ordinances; gathers information and composes correspondence in reply to various requests, inquiries, and questionnaires; answers the telephone and interviews callers, exercising considerable independent judgment in providing information and referring to appropriate parties; maintains a calendar and schedules appointments for the City Manager, the Council, and immediate staff; sets up meetings with department heads, Council members, and committees, attends meetings taking and transcribing minutes; gathers, summarizes, and prepares information and statistics for the Council's annual "Report to the People" and other studies; prepares agendum and agenda materials for City Council meetings; composes general correspondence for the Mayor and Council members such as letters of congratulation or commendation; issues proclamations as directed; types and publishes news releases; maintains a filing recall system for the City Manager, Council, and staff; prepares agenda, notifies members and the press for a variety of Council-appointed committees; may supervise and train clerical and secretarial help; operates a variety of office appliances and maintains office supplies at necessary levels.

EMPLOYMENT STANDARDS

Knowledge of:

Modern office practices and procedures including business correspondence, filing, and standard office equipment operation;
Functions and organization of municipal government;
Statistical and record keeping methods;

Correct English usage, spelling, and punctuation;
Principles of supervision and training.

and

Ability to:

Perform difficult and responsible secretarial and clerical work;
Interpret and apply policies, laws, rules, and regulations;
Take stenographic notes at meetings and conferences and prepare clear and concise reports;
Prepare reports and proposed correspondence independently;
Take dictation at a speed of 90 words per minute;
Type at a speed of 60 words per minute from clear copy;
Supervise the work of subordinate personnel;
Employ good judgment and make sound decisions in accordance to established procedures and policies;
Establish and maintain cooperative relationships with those contacted in the course of work.

and

Experience:

Five years of increasingly responsible secretarial and clerical experience, involving frequent contact with the public.

SENIOR PERSONNEL TECHNICIAN

DEFINITION

Under direction, to plan, organize, and supervise the work of a major division of the Personnel Office; to perform technical personnel work in the areas of recruitment, examination, and Affirmative Action; and to do related work as required.

DISTINGUISHING CHARACTERISTICS

The position allocated to this class is distinguished by relieving the Personnel Manager of day-to-day operational details such as scheduling, coordinating, supervising, training and assisting with the daily work of recruitment, testing, selection, and benefits. Additionally, this position is expected to supervise and perform the day-to-day tasks required by the City's Affirmative Action Program.

EXAMPLES OF DUTIES

Trains and assigns work to subordinate employees; confers with Personnel Manager, administrators, and the general public regarding personnel matters; aids in the clarification and definition of policies, procedures, and regulations with departments and other agencies; conducts exit interviews and writes follow-up reports; prepares simple to moderately difficult reports and correspondence; conducts special surveys and projects; gathers and analyzes information for salary and fringe benefit studies; develops the content of written and performance tests; plans, prepares and conducts recruitments, and chairs qualifications appraisal boards to evaluate candidates; monitors and furthers Affirmative Action efforts in the area of recruitment, testing and selection processes.

SPECIAL REQUIREMENTS

License: Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

Probation: All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

Laws, rules and regulations affecting public sector personnel programs;
Principles of recruitment, testing, and selection in a public setting;
Test construction techniques;
EEOC documentation requirements;
Principles of Equal Employment Opportunity and Affirmative Action;

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EXHIBIT S

English usage, spelling, grammar and punctuation;
Basic statistical methods;
Interviewing techniques;
Principles of supervision and training.

and

Ability to:

Provide guidance in a supervisory capacity;
Assign work to and train subordinate personnel;
Perform technical personnel work, especially in the area of recruitment, selection, and salary and benefit surveys;
Perform technical report writing with skill and clarity;
Express oneself effectively both in speaking and writing;
Schedule time and work under pressure;
Adapt with flexibility to change;
Interpret rules, practices and policies and apply them with good judgment;
Compile and analyze information and make appropriate recommendations;
Perform job duties in a manner assuring a safe working environment for oneself and others;
Work and control sensitive, confidential information on assignment;
Establish and maintain effective working relationships with the general public, co-workers, supervisors, and members of diverse cultural and linguistic backgrounds, regardless of race, creed, color, religion, sex, age or handicap.

and

Experience:

Three (3) years of experience in a personnel office, with one year in recruitment, testing and selection.

Two or more years completed at an accredited college or university (sixty (60) semester or ninety (90) quarter units) may be substituted for one year of experience provided that there were courses in industrial relations, personnel or public administration, industrial psychology, or other closely related fields.

PERSONNEL TECHNICIAN

DEFINITION

Under general supervision, performs technical personnel work in the areas of recruitment, examination, and other related work as required.

DISTINGUISHING CHARACTERISTICS

This is the first level of technical personnel work. The work assigned is primarily in the areas of recruitment, testing, and selection. At first, those appointed work under close supervision. As experience and proficiency increase, duties are performed with a minimum of supervision.

EXAMPLES OF DUTIES

Confers with senior personnel staff, administrators, and the general public regarding personnel matters; prepares City employee monthly newsletter; aids in the clarification and definition of policies, procedures, and regulations with departments and other agencies; monitors and furthers Affirmative Action efforts in the areas of recruitment, testing, and selection; develops the content of written and performance tests; plans, prepares and conducts recruitment activities; reviews and approves applications for employment; orders and prepares examination materials for written, oral, performance and other examinations; proctors, scores, and recommends pass points on exams; contacts and schedules qualified persons to serve on qualification appraisal boards in the evaluation of candidates; prepares eligible lists for approval of the Director of Personnel; may assist in City's in-service training and employee orientation programs.

SPECIAL REQUIREMENTS

License: Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

Probation: All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

Laws, rules and regulations affecting public sector personnel programs;
Principles of recruitment and selection in a public setting;
Principles of Equal Employment Opportunity and Affirmative Action;
English usage, spelling, grammar, and punctuation;
Basic statistical methods;
Modern office practices and procedures, especially as they relate to record maintenance and document processing.

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EXHIBIT T

and

Ability to:

Interpret rules, practices and policies and apply them with good judgment;
Compile and analyze information and make appropriate recommendations;
Express oneself effectively in speaking;
Schedule time and work under pressure;
Adapt with flexibility to change;
Perform job duties in a manner assuring a safe working environment for oneself and others;
Work with and control sensitive, confidential information on assignment;
Establish and maintain effective working relationships with the general public, co-workers, supervisors, and members of diverse cultural and linguistic backgrounds, regardless of race, creed, color, religion, sex, age or handicap.

and

Experience:

Two (2) years of experience in a personnel office.

Two or more years completed at an accredited college or university (sixty (60) semester or ninety (90) quarter units) may be substituted for one year of the required experience provided that there were courses in industrial relations, personnel or public administration, industrial psychology or other closely related fields.

SENIOR PERSONNEL CLERK

DEFINITION

Under general supervision, to perform complex clerical duties in the administration of the City's personnel programs; and to do related work as required.

EXAMPLES OF DUTIES

Processes all personnel actions and adjusts records when employees change status, such as promotion, reclassification, transfer, or termination; advises employees and the public, both verbally and in written form, of job availability, requirements and procedures; schedules attendance and prepares materials for employee training and orientation programs; prepares monthly activity reports; answers questions and maintains liaison with the retirement plan, medical, life and dental insurance companies, preparing necessary forms and routine reports; insures that termination papers and retirement papers are properly completed and processed; may coordinate with Finance, Data Processing, and others in resolving problems concerning payroll and employee records; sets meetings and prepares agenda material for the deferred compensation and suggestion award committee meetings; coordinates annual service awards program; keeps department payroll and orders office supplies; receives, sorts and distributes incoming and outgoing departmental mail; sorts and files documents and records according to predetermined classifications; performs clerical tasks in recruitment and testing; may be assigned to review job applications for completeness and accuracy; proctors written or performance tests; processes eligibility lists and notifies eligible candidates; notifies those selected for appointment with the City; indoctrinates full-time and temporary employees concerning compensation and benefits; schedules medical examinations and assures all pre-employment procedures are followed; schedules in-service medical examinations; coordinates with medical examiner on which procedures are to be followed.

SPECIAL REQUIREMENTS

Possession of an appropriate license issued by the California Department of Motor Vehicles within one month after appointment.

EMPLOYMENT STANDARDS

Knowledge of:

Personnel rules, regulations, policies and procedures governing employment with the City of Modesto and employee benefits;
Modern office procedures and practices, including complex record keeping;
Standard office machines;
Correct English usage, spelling, grammar and punctuation;
Receptionist and telephone techniques.

and

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EXHIBIT U

Ability to:

Type at a speed of not less than 50 words per minute from clear copy;
Understand, interpret, and apply personnel, deferred compensation and insurance rules and regulations;
Work independently in the absence of specific instructions;
Understand and carry out oral and written directions;
Initiate correspondence and telephone communications concerning routine decisions;
Work with and control sensitive confidential information on assignment;
Assign work and supervise training of subordinate personnel;
Establish and maintain cooperative relationships with the general public, co-workers, supervisors, and members of diverse cultural and linguistic backgrounds, regardless of race, creed, color, religion, sex, age, or handicap.

and

Experience:

Three years of full-time secretarial, typing or general clerical experience, including one year in a personnel office.

and

Education:

High school graduation (or possession of G.E.D.)

DEFINITION

Under direction, to assist the Director of Finance in formulating the City's annual and multi-year budgets; to evaluate budget progress during the execution phase, to analyze cost, revenue, and relevant economic data; to assist with the development of budget systems and procedures; and to do related work as required.

EXAMPLES OF DUTIES

Review and update the City's budget manual and supplemental procedures; schedule budget preparation tasks to meet established deadlines; originate communications and distribute budget preparation materials to departments; ensure the timely submission of all source information and review such input for completeness and accuracy; ccordinate budget-related matters with departments and provide guidance where necessary, calculate cost and revenue forecasts and maintain statistical and economic data influencing such estimates; prepare worksheets and all schedules and exhibits comprising the formal Budget Document; supervise clerical personnel involved with budget preparation and publication; evaluate the budget during the execution phase to identify variances requiring corrective action; assist in the preparation of periodic staff reports concerning budget status and other special analyses as required; verify availability of funds to finance intended departmental and Council actions; research and evaluate potential revenue sources; assist in the development and testing of new budget techniques and concepts.

SPECIAL REQUIREMENTS

Incumbents will be required to file a Statement of Economic Interests.

Possession of an appropriate license issued by the California Department of Motor Vehicles within one month after appointment.

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Skills:

Must possess skills to demonstrate effective management in the areas of accounting and budget preparation for municipalities.

Knowledge of:

The budgeting process as applied to municipal government;
Principles, practices and methods for municipal accounting, cost accounting, and auditing;
Laws, ordinance and regulations governing the financial operations of the City and its departments;
Modern office management procedures and practices.

Ability to:

Assist the Director of Finance in the preparation of operating and capital improvement budgets;
Provide budgetary assistance to management;

Analyze and review fiscal data to develop forecasts, trends and analysis;
Conduct feasibility studies;
Estimate and project revenues and expenditures;
Prepare clear and concise statistical, program and narrative reports;
Communicate effectively both orally and in writing;
Establish and maintain cooperative relationships with those contacted during the course of work.

Experience:

One (1) year of professional level experience in municipal or governmental budget preparation or analysis.

and

Education:

Graduation from an accredited college or university with a major in business administration, accounting, finance, or public administration including a minimum of fifteen (15) units in budget and/or accounting.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-293

A RESOLUTION AMENDING EXHIBITS "E" AND "F" OF RESOLUTION NO. 80-591 ENTITLED, "A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE."

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. AMENDMENT TO EXHIBIT "E" OF RESOLUTION NO. 80-591. Exhibit "E" entitled, "City of Modesto Schedule of Salary Ranges in City Service" attached to Resolution No. 80-591, is hereby amended as shown on the amended Exhibit "E" entitled, "City of Modesto Schedule of Salary Ranges in City Service" effective April 7, 1981, which is attached hereto and made a part hereof as though set forth in full herein. Said amended Exhibit "E" changes the salary ranges for the classifications of Director of Management Services, Fire Chief and Police Chief.

SECTION 2. AMENDMENT TO EXHIBIT "F" OF RESOLUTION NO. 80-591. Exhibit "F" entitled, "City of Modesto Alphabetical Listing of Classifications in City Service 1980-81" attached to Resolution No. 80-591, is hereby amended as shown on the amended Exhibit "F" entitled, "City of Modesto Alphabetical Listing of Classifications in City Service 1980-81" amended April 7, 1981, which is attached hereto and made a part hereof as though set forth in full herein. Said amended Exhibit "F" deletes the classifications of Management Assistant-Risk Manager, Range 429.0, Personnel Clerk, Range 413.5, and Assistant Public Services Inspector, Range 122.0. Said amended "F" adds the classifications of Risk Manager, Range 430.0. Assistant City Attorney I, Range 432.0, Senior Accountant, Range 428.0, and Public Services Inspector, Range 122.0.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

Schedule E
Unclassified Management and
Council Appointees

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
Effective April 7, 1981

	Rate	A	B	C	D	E
Council Appointed						
City Manager	Hourly					27.3876
	Biweekly					2,191.01
	Monthly					4,763.47
City Attorney	Hourly					23.2998
	Biweekly					1,863.98
	Monthly					4,052.48
City Clerk and Auditor	Hourly	12.7892	13.4287	14.1001	14.8051	15.5454
	Biweekly	1,023.14	1,074.30	1,128.01	1,184.41	1,243.63
	Monthly	2,224.41	2,335.64	2,452.41	2,575.03	2,703.78
Unclassified Management						
Director of Finance	Hourly	16.2428	17.0549	17.9076	18.8030	19.7432
	Biweekly	1,299.42	1,364.39	1,432.61	1,504.24	1,579.46
	Monthly	2,825.07	2,966.32	3,114.64	3,270.37	3,433.90
Director of Management Services	Hourly	16.2428	17.0549	17.9076	18.8030	19.7432
	Biweekly	1,299.42	1,364.39	1,432.61	1,504.24	1,579.46
	Monthly	2,825.07	2,966.32	3,114.64	3,270.37	3,433.90
Director of Parking and Traffic	Hourly	16.2428	17.0549	17.9076	18.8030	19.7432
	Biweekly	1,299.42	1,364.39	1,432.61	1,504.24	1,579.46
	Monthly	2,825.07	2,966.32	3,114.64	3,270.37	3,433.90
Director of Parks and Recreation	Hourly	16.6500	17.4825	18.3566	19.2744	20.2381
	Biweekly	1,332.00	1,398.60	1,468.53	1,541.95	1,619.05
	Monthly	2,895.90	3,040.70	3,192.73	3,352.35	3,519.98
Director of Planning and Community Development	Hourly	16.2428	17.0549	17.9076	18.8030	19.7432
	Biweekly	1,299.42	1,364.39	1,432.61	1,504.24	1,579.46
	Monthly	2,825.07	2,966.32	3,114.64	3,270.37	3,433.90

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SCHEDULE E - Page 2
Unclassified Management and
Council Appointees
Salary Ranges Effective April 7, 1981

	Rate	A	B	C	D	E
Unclassified Management (Cont'd.)						
Director of Public Works and City Engineer	Hourly	19.1688	20.1272	21.1336	22.1903	23.2998
	Biweekly	1,533.50	1,610.18	1,690.69	1,775.22	1,863.98
	Monthly	3,333.98	3,500.69	3,675.73	3,859.51	4,052.48
Fire Chief	Hourly	16.2428	17.0549	17.9076	18.8030	19.7432
	Biweekly	1,299.42	1,364.39	1,432.61	1,504.24	1,579.46
	Monthly	2,825.07	2,966.32	3,114.64	3,270.37	3,433.90
Chief of Police	Hourly	17.7189	18.6049	19.5351	20.5119	21.5375
	Biweekly	1,417.51	1,488.39	1,562.81	1,640.95	1,723.00
	Monthly	3,081.81	3,235.91	3,397.71	3,567.59	3,745.97

CITY OF MODESTO
ALPHABETICAL LISTING OF CLASSIFICATIONS IN CITY SERVICE
1980-81
(Effective 7-1-80, amended 7-15-80, 8-5-80, 9-2-80, 2-17-81, 4-7-81)

Range No.	Title of Classification
111.5	Account Clerk I
114.5	Account Clerk II
116.5	Account Clerk III
119.5	Account Clerk IV
426.0	Accountant
433.0	Accounting Administrator
426.0	Administrative Analyst
426.5	Administrative Assistant (Parking & Traffic)
429.0	Airport Manager
424.5	Airport Maintenance Supervisor
116.5	Animal Control Officer I
118.5	Animal Control Officer II
426.5	Arborist
122.0	Assistant Building Inspector
426.0	Assistant Chief Electrician
633.0	Assistant Chief of Police
434.0	Assistant City Attorney (Eff. until 4-6-81)
432.0	Assistant City Attorney I (Eff. 4-7-81)
434.0	Assistant City Attorney II (Eff. 4-7-81)
420.5	Assistant City Clerk
429.0	Assistant Civil Engineer
433.0	Assistant Director of Parks & Recreation
436.0	Assistant Director of Public Works
122.5	Assistant Electrician
426.0	Assistant Planner
428.0	Assistant Property Agent (Eff. 4-7-81)
426.0	Assistant Property Agent(MGT) (Eff. until 4-6-81)
122.0	Assistant Public Services Inspector (Eff. until 4-6-81)
426.0	Assistant Shop Supervisor
122.0	Assistant Zoning Inspector
432.0	Associate Civil Engineer
429.0	Associate Planner
426.0	Budget Accountant
125.0	Building Inspector
424.5	Building Maintenance Supervisor (Eff. until 4-6-81)
426.5	Building Maintenance Supervisor (Eff. 4-7-81)
120.5	Building Maintenance Worker
122.5	Building Maintenance Leadworker
433.0	Chief Building Official
429.0	Chief Electrician
N/A	Chief of Police
426.5	Chief of Survey Party
N/A	City Attorney
N/A	City Clerk and Auditor
N/A	City Manager
117.5	Civil Engineering Technician I
120.5	Civil Engineering Technician II
123.5	Civil Engineering Technician III
126.5	Civil Engineering Technician IV
124.0	Coach Mechanic
120.5	Community Service Officer
119.5	Computer Operator
125.0	Construction Inspector
427.0	Cost Analyst (Eff. 4-7-81)
123.0	Crime Analyst
426.5	Data Processing Supervisor (Eff. until 4-6-81)
428.0	Data Processing Supervisor (Eff. 4-7-81)
427.0	Deputy City Attorney I
430.0	Deputy City Attorney II (Eff. until 4-6-81)
429.0	Deputy City Attorney II (Eff. 4-7-81)
312.0	Detective
N/A	Director of Finance
N/A	Director of Management Services
N/A	Director of Parking and Traffic
N/A	Director of Parks and Recreation
N/A	Director of Planning and Community Development
N/A	Director of Public Works and City Engineer
120.5	Electrical Technician
118.5	Electrical Trainee

Exhibit "F"

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Range No.	Title of Classification
124.5	Electrician
126.0	Engineering Computer Programmer
122.0	Equipment Mechanic
120.5	Equipment Operator
119.0	Equipment Service Worker
118.5	Evidence and Property Specialist
120.5	Financial Specialist
529.0	Fire Battalion Chief
N/A	Fire Chief
211.0	Fire Engineer
210.0	Fire Fighter
213.0	Fire Lieutenant
112.0	Fire Prevention Inspector Trainee (Eff. until 2-17-81)
120.5	Fire Prevention Technician
122.5	Heavy Equipment Operator
120.5	Housing Conservationist
432.0	Housing Program Officer
125.0	Industrial Waste Inspector
116.5	Janitor
123.0	Junior Accountant
126.0	Junior Civil Engineer
123.0	Junior Planner
114.5	Keypunch Operator
122.5	Laboratory Technician
113.5	Laborer (Unclassified) Effective October 7, 1980
116.5	Laborer (Unclassified) Effective Until October 6, 1980
426.0	Landscape Designer
125.0	Lead Coach Mechanic
123.0	Lead Equipment Mechanic
416.5	Legal Secretary I
418.5	Legal Secretary II

Range No.	Title of Classification
113.5	Maintenance Worker Trainee
116.5	Maintenance Worker
429.0	Management Assistant
429.0	Management Assistant(Risk Manager) (Eff. until 4-6-81)
122.5	Mechanic/Treatment Plant (Eff. 2-17-81)
424.5	Mechanical Maintenance Supervisor/ Treatment Plant (Eff. 2-17-81)
113.5	Microfilm and Graphics Technician I
115.5	Microfilm and Graphics Technician II
120.5	Motor Sweeper Operator
424.0	Museum Supervisor
122.5	Nursery Propagator
106.5	Office Aide I
109.5	Office Aide II
113.5	Office Services Clerk
122.5	Office Services Supervisor
122.5	Parking and Traffic Leadworker
120.5	Parking and Traffic Maintenance Worker
122.5	Parks Maintenance Leadworker
424.5	Parks Maintenance Supervisor I
426.5	Parks Maintenance Supervisor II
118.5	Parks Maintenance Worker I
120.5	Parks Maintenance Worker II
429.0	Parks Superintendent
413.5	Personnel Clerk (Eff. until 4-6-81)
432.0	Personnel Manager
420.5	Personnel Technician
126.0	Plan Review Engineer I
426.0	Plan Review Engineer I (MGT)
117.5	Planning Technician I
120.5	Planning Technician II
123.5	Planning Technician III
632.0	Police Captain
113.5	Police Clerk
630.0	Police Lieutenant
310.0	Police Officer

Range No.	Title of Classification
425.0	Police Records Supervisor
628.0	Police Sergeant
115.5	Printing Services Operator I
118.5	Printing Services Operator II
123.0	Programmer
426.0	Programmer Analyst
430.0	Property Agent
427.0	Public Services Officer
122.0	Public Services Inspector (Eff. 4-7-81)
106.5	Public Services Trainee
122.5	Public Works Leadworker
118.5	Public Works Maintenance Worker I
120.5	Public Works Maintenance Worker II
424.5	Public Works Supervisor I
426.5	Public Works Supervisor II
120.5	Pump Maintenance Worker
122.0	Purchasing Assistant I
124.0	Purchasing Assistant II
429.0	Purchasing Officer (Eff. until 4-6-81)
430.0	Purchasing Officer (Eff. 4-7-81)
117.5	Recreation Program Supervisor
429.0	Recreation Superintendent
426.0	Recreation Supervisor
125.0	Rehabilitation Specialist
430.0	Risk Manager (Eff. 4-7-81)
117.5	Risk Management Assistant I
120.5	Risk Management Assistant II
116.5	Secretary I
416.5	Secretary I (Conf.)
418.5	Secretary II
420.5	Secretary to the City Attorney
421.5	Secretary to the City Manager
428.0	Senior Accountant (Eff. 4-7-81)
126.5	Senior Building Inspector
416.5	Senior Personnel Clerk
423.5	Senior Personnel Technician
432.0	Senior Planner
428.0	Senior Rehabilitation Specialist
429.0	Shop Supervisor
123.5	Social Services Coordinator
423.5	Social Services Coordinator (MGT)
114.5	Stenographer Clerk
118.5	Storeskeeper I
120.5	Storeskeeper II
120.5	Street Trees Maintenance Worker II
428.0	Supervising Building Inspector
113.5	Telephone Operator-Receptionist
429.0	Transit Manager
120.5	Tree Trimmer I
122.5	Tree Trimmer II
109.5	Typist Clerk I
409.5	Typist Clerk I (Conf.) (Eff. 4-7-81)
111.5	Typist Clerk II
411.5	Typist Clerk II (Conf.) (Eff. 4-7-81)
113.5	Typist Clerk III
424.5	Warehouse Supervisor
118.5	Wastewater Treatment Plant Attendant
122.5	Wastewater Treatment Plant Mechanic (Eff. until 2-17-81)
120.5	Wastewater Treatment Plant Operator I
122.5	Wastewater Treatment Plant Operator II
426.5	Wastewater Treatment Plant Supervisor
432.0	Water Quality Control Superintendent
125.0	Water System Inspector
118.5	Word Processing Supervisor
114.5	Word Processing Technician I
116.5	Word Processing Technician II
113.5	Word Processing Trainee
425.0	Zoning Inspector

Totals: 11 City Manager, Department Heads
175 Other

186

wpc 4/

MODESTO CITY COUNCIL
RESOLUTION NO. 81-294

A RESOLUTION ADOPTING A SCHEDULE OF FEES IN CONNECTION WITH ENCROACHMENT PERMITS AND INSPECTIONS REQUIRED BY THE CITY OF MODESTO AND RESCINDING RESOLUTION NO. 78-720

WHEREAS, Section 5-6.08 of the Modesto Municipal Code provides that costs incurred by the City of Modesto for preparation of plans and specifications and for inspections for construction of sewer laterals in the City shall be in accordance with a schedule of fees approved by the Council from time to time by resolutions and on file in the offices of the City Clerk and Director of Public Works, and

WHEREAS, Section 7-1.108 of the Modesto Municipal Code provides that fees for services performed by the City of Modesto pursuant to Chapter 1 of Title VII of the Modesto Municipal Code relating to street improvements shall be in accordance with a schedule of fees approved by the City Council from time to time by resolutions and on file in the offices of the City Clerk and Director of Public Works, and

WHEREAS, Section 7-2.14 of the Modesto Municipal Code provides that fees for inspection for the temporary closing of public ways in the City of Modesto shall be in accordance with a schedule of fees approved by the City Council from time to time by resolutions and on file in the offices of the City Clerk and Director of Public Works, and

WHEREAS, Section 7-2.22 of the Modesto Municipal Code provides that fees for street paving performed by the City of Modesto shall be paid by permittees obtaining permits therefor from the City in accordance with a schedule of fees approved by the City Council from time to time by resolutions and on file in the offices of the City Clerk and Director of Public Works, and

WHEREAS, Section 7-2.27 of the Modesto Municipal Code provides that fees for street cuts inspections performed by the City of Modesto shall be paid in accordance with a schedule of fees approved by the City Council from time to time by resolution and on file in the offices of the City Clerk and Director of Public Works, and

WHEREAS, Resolution No. 77-1081 entitled, "A Resolution Establishing Conditions for Issuing Encroachment Permits to Place Newspaper Racks in Sidewalk Planting Strips" in the City of Modesto, provides that inspection fees shall be charged in accordance with a schedule of fees approved by the City Council from time to time by resolutions and on file in the offices of the City Clerk and Director of Public Works, and

WHEREAS, it is the desire of the City Council of the City of Modesto to adopt a schedule of fees to be charged by the City of Modesto in accordance with the above sections of the Modesto Municipal Code and Resolution No. 77-1081,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following schedule of fees, attached as Exhibit A, is hereby adopted providing for work or inspections performed by the City of Modesto in connection with encroachment permits.

(1) Where no fee is shown, the work is to be performed by others as needed.

(2) Small laterals or extensions designed and drawn by the City shall pay an additional $0.20/l.f.

(3) Utility relocation required for City projects is not subject to a charge.

(4) Public utility companies may pay an annual $100.00 fee in lieu of the $5.00 fee for each permit for services or repair.

(5) Costs shall be paid for emergency or other work performed by City for public health and safety in addition to the following minimum charges:

a.	Cleanup or dust control	$100.00 per street
b.	Temporary paving	$100.00 per street
c.	Temporary barricades	$ 30.00 per each

(6) Permits are required for all work done in all public rights of way, including public utility easements.

BE IT FURTHER RESOLVED that Resolution No. 78-720 adopted by the City Council on July 10, 1978, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

SCHEDULE OF ENCROACHMENT PERMIT FEES

TYPE PERMIT[6]	BASIC INSP.[5]	STAKING[1]	PAVING[1]	CODE OR RES. REFERENCE
1. Curbs	$10.00/lot	0.60/l.f.	by City	7-1.108
2. Sidewalks	10.00/lot	----	----	7-1.108
3. Approaches	10.00/each	----	by City	7-1.108
4. Sewer Services	18.00/lot	----	3.50/s.f.	5-6.08; 7-2.22
5. Sewer Laterals[2]	0.20/l.f.	0.60/l.f.	3.50/s.f.	5-6.08; 7-2.22
6. Newspaper Racks	10.00/each	----	----	7-1.108
7. Storm Drains (through curb)	10.00/each	----	----	7-1.108
8. Utilities,[3] Major Const.	20.00/block	----	3.50/s.f.	7-2.27; 7-2.22
9. Utilities,[3] Services or Repair	6.00/each[4]	----	3.50/s.f.	7-2.22; 7-2.27
10. Street Closures (temporary)	50.00/each	----	----	7-2.14
11. Street Lights	20.00/each	----	----	7-1.108
12. Rock Wells or Storm Drain Connections	20.00/each	----	----	7-1.108
13. Street Paving	10.00/lot	----	----	7-1.108
14. Parcel Map Improvements	20.00/lot	----	----	7-1.108

(1) Where no fee is shown, the work is to be performed by others as needed.

(2) Small laterals or extensions designed and drawn by the City shall pay an additional $0.20/l.f.

(3) Utility relocation required for City projects is not subject to a charge.

(4) Public Utility companies may pay an annual $100.00 fee in lieu of the $6.00 fee for each permit for services or repair.

(5) Costs shall be paid for emergency or other work performed by City for public health and safety in addition to the following minimum charges:

a. Cleanup or dust control	$100.00 per street
b. Temporary paving	$100.00 per street
c. Temporary barricades	$ 30.00 per each

(6) Permits are required for all work done in all public rights of way, including public utility easements.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-295

A RESOLUTION SETTING TIME AND PLACE FOR HEARING OF NECESSITY TO ACQUIRE A PORTION OF THE BIRT A. LOWERY PROPERTY FOR THE SYLVAN-MCHENRY TO COFFEE STREET WIDENING PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 19, 1981 , at 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a Hearing of Necessity to acquire a portion of the Birt A. Lowery property for the Sylvan-McHenry to Coffee street widening project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th **day of** April, 19 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-296

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 9-3-9 OF THE ZONING MAP - DEAN RUSSELL, STANLEY SMITH, AND EDMUND SMITH

WHEREAS, the Modesto City Planning Commission held a public hearing on April 6, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 9-3-9 of the Zoning Map to rezone from R-2 to P-D(301) property located around Las Cruces Court, west of Coffee Road, to allow a 20-unit, one-story residential condominium

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-88 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 9-3-9 of the Zoning Map be set for May 12, 1981, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain real property situate in the Southeast Quarter of the Southeast Quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Beginning at the Northwest corner of Hacienda Estates as shown on the official map thereof filed for record in Book 29 of Maps, at page 41, Stanislaus County Records; thence South 89° 37' 17" East along the north line of said Hacienda Estates and the easterly extension thereof, a distance of 298.00 feet to a point on the centerline of Coffee Road; thence along said centerline South 0° 50' 30" East 292.38 feet; thence North 89° 37' 17" West along the southerly line of said Hacienda Estates and the easterly extension thereof, a distance of 298.13 feet; thence North 0° 48' 57" West along the westerly line of said Hacienda Estates, a distance of 292.38 feet to the point of beginning.

SCHEDULE "A"
RUSSELL, SMITH AND SMITH

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 297

A RESOLUTION APPROVING SUBMISSION OF THE ANNUAL TRANSPORTATION CLAIM TO THE STANISLAUS AREA ASSOCIATION OF GOVERNMENTS (SAAG).

Whereas, money is available from the Local Transportation Fund and the State Transit Assistance Fund for use by the City of Modesto in carrying out various activities related to transportation, and

WHEREAS, annually these funds are allocated by the Stanislaus Area Association of Governments (SAAG) in accordance with established priorities, and

WHEREAS, the City of Modesto's claim has been prepared in accordance with established priorities and provides for the use of $3,977,757 from the Local Transportation Fund and the State Transit Assistance Fund.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that submission of the City of Modesto's Annual Transportation Claim by the City Manager to the Stanislaus Area Association of Governments (SAAG) in the amount of $3,977,757 for the fiscal year 1981-82 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-298

A RESOLUTION AMENDING A POLICY REGARDING CITY COUNCIL APPOINTMENTS COMMITTEE TO INCLUDE THE APPOINTMENT OF AN ALTERNATE MEMBER

WHEREAS, the City Council deems it desirable to amend a policy regarding City Council Appointments Committee to include the appointment of an alternate member.

BE IT HEREBY RESOLVED that the City Council of the City of Modesto does hereby adopt the amended policy statement entitled, "Appointments Committee Guidelines", a copy of which is attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1981, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPOINTMENTS COMMITTEE GUIDELINES

1. The Mayor shall appoint two Councilmembers as Committee members and one Councilmember as an alternate to assist in reviewing applicants for the following Boards and Commissions:

Board of Building Appeals	Culture Commission
Board of Personnel Appeals	Human Relations Commission
Board of Zoning Adjustment	Planning Commission

The City Manager shall serve as ex officio member. The Appointments Committee shall serve for two years following the regular municipal election.

2. When a Board or Commission vacancy arises, the Appointments Committee shall:

   A. Request the Clerk to issue a press release to the Modesto news media.

   B. Send a letter, together with the revised application materials, to interested persons.

   C. Circulate the names and brief identifying statement of each applicant to all Councilmembers for their comments. Complete sets of each applicant's papers shall be made available to the Committee members.

   D. Hold interviews with a reasonable number of the best qualified applicants as determined to be appropriate by the Committee.

   E. Submit the names and background material on the recommended candidates to the full Council.

      Sufficient time shall be allowed to permit Councilmembers to interview the candidates and communicate their preferences to the Appointments Committee if they desire to do so.

   F. Notify the full Council of the candidate to be recommended for appointment in advance of the Council meeting.

3. The Appointments Committee shall also review the record of Board and Commission members subject to reappointment and make a recommendation to the full Council. The Committee may consult the Councilmembers and the staff in forming their recommendations.

   There shall be a two-term maximum for the members of the Boards and Commissions covered by these guidelines. A partial term of three or more years shall be considered a full term.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-299

A RESOLUTION APPOINTING MEMBERS OF THE AIRPORT ADVISORY COMMITTEE AND ACKNOWLEDGING STANISLAUS COUNTY APPOINTMENT OF TWO PERSONS TO THE AIRPORT ADVISORY COMMITTEE

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following persons are hereby appointed to the Airport Advisory Committee, length of term to be determined by lot:

CITY APPOINTED	STANISLAUS COUNTY APPOINTED
Louis Rolle, Public-At-Large	Michael Lowe, Public-At-Large
Sheila Yuter, Public-At-Large	Ben Bergman, Non-Provider User/General Aviation Side
Jim Sorensen, Non-Provider User/General Aviation Side	
C.K. Gottschalk, Service-Provider/General Aviation Side	
Jim Breshear, Service-Provider/Public Side	

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed members of the Airport Advisory Committee and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-300

A RESOLUTION OVERRULING THE RECOMMENDATION OF THE PLANNING COMMISSION TO AMEND PLANNED DEVELOPMENT ZONE, P-D(127) TO ESTABLISH A FAMILY AMUSEMENT MACHINE CENTER IN THE EASTERLY-CENTER PORTION OF THE SHOPPING CENTER ON PROPERTY LOCATED AT THE NORTH-EAST CORNER OF OAKDALE ROAD AND EAST ORANGEBURG AVENUE IN THE CITY OF MODESTO, AND WAIVING THE ONE YEAR LIMITATION ON A NEW APPLICATION BY CALVIN D. HENNE FOR AN AMENDMENT TO PLANNED DEVELOPMENT ZONE, P-D(127). (CALVIN D. HENNE)

WHEREAS, a verified application to amend Planned Development Zone, P-D(127) was filed by Calvin D. Henne on January 14, 1981, to establish a Family Amusement Machine Center in the easterly-center portion of the community shopping center on property located at the northeast corner of Oakdale Road and East Orangeburg Avenue in the City of Modesto, and

WHEREAS, the Planning Commission held a public hearing on said application on February 17, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and

WHEREAS, thereafter the Planning Commission adopted Resolution No. 81-51 recommending to the Council an amendment to Planned Development Zone, P-D(127) to establish a Family Amusement Machine Center in the easterly-center portion of the community shopping center on property located at the northeast corner of Oakdale Road and East Orangeburg Avenue, as requested by the applicant, and

WHEREAS, said matter was set for a public hearing before the Council of the City of Modesto on April 7, 1981, at 4:00 o'clock p.m., at which time evidence, both oral and documentary, was taken and introduced and, thereafter the Council continued said hearing to April 21, 1981, at 4:00 o'clock p.m., and at said continued hearing, additional evidence, both oral and documentary, was taken and introduced, and

WHEREAS, the City Council certifies it has reviewed and considered the findings of the Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed amendment to Planned Development Zone, P-D(127), and

WHEREAS, after said continued public hearing on April 21, 1981, the Council of the City of Modesto determined that the proposed amendment to Planned Development Zone, P-D(127) to establish a Family Amusement Machine Center in the easterly-center portion of the community shopping center on property located at the northeast corner of Oakdale Road and East Orangeburg Avenue in the City of Modesto should be denied for the following reasons:

1. The fourth specification of the city's "Family Amusement Machine Center Policy" states that "consideration be given to the proximity of elementary, senior elementary, junior high and high schools." This proposal is only 600' from a neighborhood park which is adjacent to Sonoma Elementary School, the school grounds being 900' distant, and the school buildings being 1200' distant, all within 1/4 mile walking distance.

2. Loitering, littering, and noise problems from children and youth patrons of the Family Amusement Machine Center could disrupt other businesses in the Century Center Shopping Center where this family amusement machine center is proposed,

and

WHEREAS, in accordance with the provisions of Section 10-2.2103 of the Modesto Municipal Code, the Council determined that it was appropriate to waive the one year limitation in order that Calvin D. Henne could submit a new application to the Planning Commission for an amendment to Planned Development Zone, P-D(127) for a Family Amusement Machine Center in the community shopping center on property located at the northeast corner of Oakdale Road and East Orangeburg Avenue in the City of Modesto for which an amendment to establish a Family Amusement Machine Center in the easterly-center portion thereof has been denied, and that the waiving of the one year limitation will not adversely affect the interest of the general public,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the amendment to Planned Development Zone, P-D(127), as recommended by the Planning Commission in its Resolution No. 81-51, to amend Planned Development Zone, P-D(127) to establish a Family Amusement Machine Center in the easterly-center

portion of the community shopping center on property located at the northeast corner of Oakdale Road and East Orangeburg Avenue in the City of Modesto, be denied for the reasons set forth above, and the recommendation of the Planning Commission is hereby overruled.

BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed amendment to Planned Development Zone, P-D(127).

BE IT FURTHER RESOLVED that this Council hereby waives the one year limitation in order that Calvin D. Henne can submit a new application to the Planning Commission for an amendment to Planned Development Zone, P-D(127) for a Family Amusement Machine Center in the community shopping center on the property located at the northeast corner of Oakdale Road and East Orangeburg Avenue in the City of Modesto, for which an amendment has been denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of April, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-301

A RESOLUTION ACCEPTING THE BID OF CENTRAL PUMP FOR THE CONSTRUCTION OF WELL #45 AT MANCINI PARK

WHEREAS, Resolution No. 81-190 adopted by the Council of the City of Modesto on March 17, 1981 , approved the plans and specifications for the construction of Well #45 at Mancini Park and authorized the calling for bids; and

WHEREAS, the bids received for the construction of Well #45 at Mancini Park were opened at 11:05 a.m. on April 7, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Central Pump in the amount of $14,561 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Central Pump in the amount of $14,561 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of April , 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-302

RE-
A RESOLUTION ACCEPTING THE/CONSTRUCTION OF PUMP STATION NO. 40 AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works re- that the/construction of Pump Station No. 40

has been completed by CDR Construction

in accordance with the contract agreement dated November 6, 1979.

re-
NOW, THEREFORE, BE IT RESOLVED that the/construction of Pump Station No. 40 be accepted from said contractor, CDR Construction;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $116,747 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of April, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-303

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY BRIGHT DEVELOPMENT TO A DECISION OF THE PLANNING COMMISSION CONCERNING ZONING OF PROPERTY AT THE SOUTHWEST CORNER OF HAHN AND VENEMAN

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 12, 1981 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Bright Development to a decision of the Planning Commission concerning zoning of property at the southwest corner of Hahn and Veneman.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st **day of** April**,** 19 81**, by Councilmember** Lang**, who moved its adoption, which motion being duly seconded by Councilmember** Siefkin**, was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-304

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CHARLES WRIGHT FOR FOOD CONCESSION AT BEARD BROOK PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Charles Wright to operate a food concession at Beard Brook Park, with the exception that the price of candy will go up from 25¢ to 30¢, contract to expire April 30, 1982,

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st **day of** April, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-305

A RESOLUTION APPROVING AMENDED **/AGREEMENT BETWEEN THE CITY OF MODESTO AND** M.G.B. PROPERTIES TO ALLOW RELOCATION OF ACCESSWAYS ESTABLISHED AS CONDITIONS OF PRIOR H-1 USE PERMIT AND PARCEL MAP APPROVAL, PROPERTY AT THE NORTHWEST CORNER OF MCHENRY AND RUMBLE

BE IT HEREBY RESOLVED by the Council of the City of Modesto amended **that the /agreement between the City of Modesto and** M.G.B. Properties to allow relocation of accessways established as conditions of prior H-1 Use Permit and parcel map approval, property at the northwest corner of McHenry and Rumble **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said amended **/agreement by the designated city officials be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st **day of** April **, 19** 81 **, by Councilmember** Lang **, who moved its adoption, which motion being duly seconded by Councilmember** Siefkin **, was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-306

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CRAIG R. HENSLEY FOR WATER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 1712 MIDWAY AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Craig R. Hensley

for water service to property outside City limits at 1712 Midway Avenue, located on the east side of Midway between Nelson Way and Parklawn Avenue

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st **day of** April, **19**81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-307

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ROBERT AND JEANETTE J. HAYES FOR SEWER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 823 SEYBOLD AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Robert and Jeanette J. Hayes **for** sewer service to property outside City limits at 823 Seybold Avenue, located on the west side of Seybold Avenue between California and Briggs Avenues **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st **day of** April, **19**81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-308

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A MID-BLOCK CROSSWALK ON EAST GRANGER AVENUE AT McHENRY VILLAGE.

WHEREAS, it is deemed desirable to establish a mid-block crosswalk at a certain location in the City of Modesto to facilitate street crossing by pedestrians, and

WHEREAS, Section 21106(a) of the Vehicle Code of the State of California provides that local authorities, by ordinance or resolution, may establish crosswalks between intersections,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Parking and Traffic is hereby directed to establish, designate and maintain a mid-block crosswalk as hereinafter set forth, and to designate such mid-block crosswalk by appropriate devices, marks or lines upon the surface of the roadway:

Across Granger Avenue 717 feet east of the easterly McHenry Avenue curb line as shown on Exhibit "A" attached hereto and made a part hereof as though set forth in full herein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of April, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

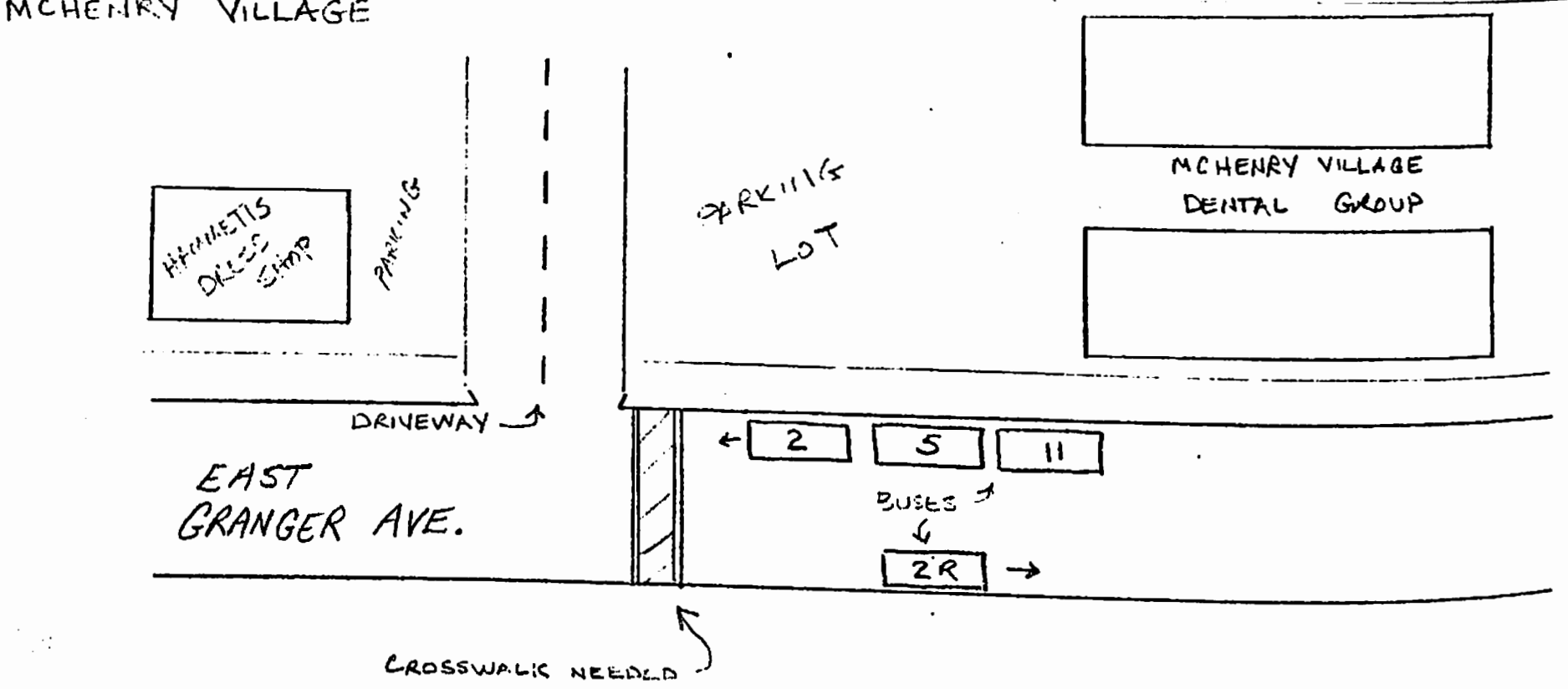

MCHENRY VILLAGE
MCHENRY VILLAGE
DENTAL GROUP
PARKING
LOT
DRIVEWAY
EAST
GRANGER AVE.
2
5
11
BUSES
2R
CROSSWALK NEEDED

Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 81-309

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR LONE PALM NO. 1 GOVERNMENTAL REORGANIZATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for Lone Palm No. 1 Governmental Reorganization Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of April, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City MODESTO

2. Name of Proposed Annexation LONE PALM NO.1 GOVERNMENTAL REORGANIZATION

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

YES

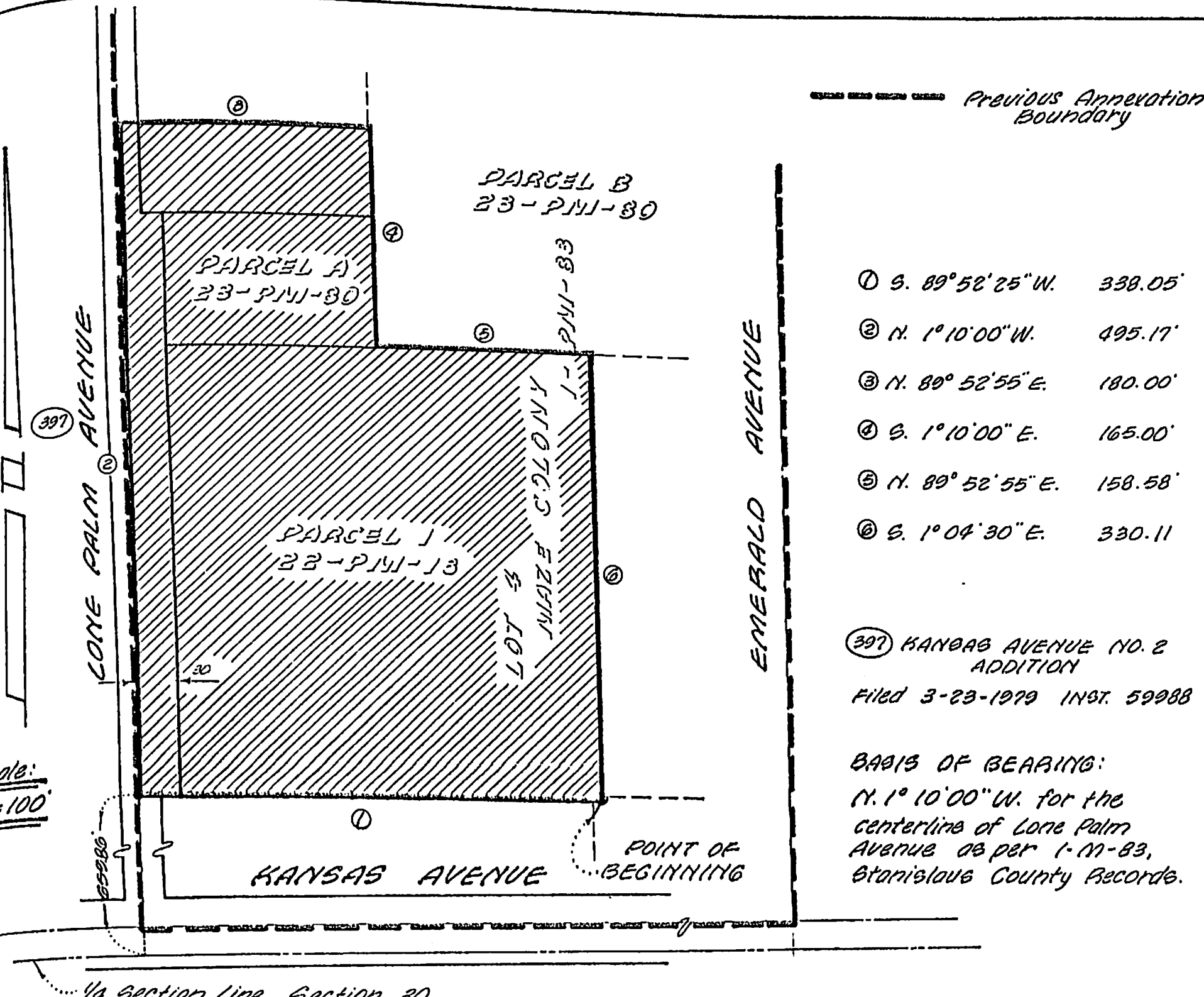
4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

NO

5. Other comments the city would like to make.

NONE

CITY OF MODESTO
LONE PALM NO 1. GOVERNMENTAL REORGANIZATION
3.25 ACRES



①	S. 89°52'25"W.	338.05'
②	N. 1°10'00"W.	495.17'
③	N. 89°52'55"E.	180.00'
④	S. 1°10'00"E.	165.00'
⑤	N. 89°52'55"E.	158.58'
⑥	S. 1°04'30"E.	330.11

(397) KANSAS AVENUE NO. 2 ADDITION
Filed 3-23-1979 INST. 59988

BASIS OF BEARING:
N. 1°10'00"W. for the centerline of Lone Palm Avenue as per 1-M-83, Stanislaus County Records.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-310
INFORMAL

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON ADOPTION OF 1979 UNIFORM FIRE CODE WITH AMENDMENTS, INCLUDING SPRINKLER ORDINANCE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 28, 1981, at 7:30 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of adoption of 1979 Uniform Fire Code with amendments, including sprinkler ordinance.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of April, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-311

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON THE FILING OF A FEDERAL TRANSIT OPERATING ASSISTANCE GRANT FOR FISCAL YEAR 1981-82

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 2, 1981 , at 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** filing of a Federal Transit Operating Assistance Grant for Fiscal Year 1981-82 to offset costs we may incur on the City's two transit systems (Intracity Transit and Dial-A-Ride) during fiscal year 1981-82.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st **day of** April, 19 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-312

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 12-3-8 OF THE ZONING MAP (BRIGHT DEVELOPMENT)

WHEREAS, the Modesto City Planning Commission held a public hearing on April 6, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 12-3-8 of the Zoning Map to rezone from P-D(192) to R-1, property located at the southwest corner of Hahn and Veneman;

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-90 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 12-3-8 of the Zoning Map be set for May 12, 1981, 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of April, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-313

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 25-3-8 OF THE ZONING MAP (LESTER AND CORLISS MAXFIELD)

WHEREAS, the Modesto City Planning Commission held a public hearing on April 6, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 25-3-8 of the Zoning Map to rezone from a portion of P-D(255) to R-1, and for an amendment to P-D(255) to allow lowering from 8-foot to 7-foot all patio walls and fences except for the north and east boundaries, property located east of Shasta south of Woodland the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-91 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 25-3-8 of the Zoning Map be set for May 12, 1981, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of April, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain real property situated in Section 25, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, City of Modesto, County of Stanislaus, State of California, described as follows:

All of Parcel A as recorded in Volume 30 of Parcel Maps at page 120, and all of Lot 65 as shown on the map of Shasta Meadows as recorded in Volume 29 of Maps, at page 78, Stanislaus County Records.

Including also all of the South one-half of Brett Lane, the west one-half of Corliss Place, and the east one-half of Shasta Avenue immediately adjacent to the above described property.

Containing .733 net acres more or less

SCHEDULE "A"

(LESTER/CORLISS MAXFIELD

MODESTO CITY COUNCIL
RESOLUTION NO. 81-314

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 8-4-9 OF THE ZONING MAP (WORLD INVESTMENT NO. 4)

WHEREAS, the Modesto City Planning Commission held a public hearing on April 5, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 8-4-9 of the Zoning Map to rezone from R-1 to R-2, property located on both sides of Hatch Road west of Dallas Street

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-87 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 8-4-9 of the Zoning Map be set for May 19, 1981, 4:00 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of April, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain real property situate in a portion of the Northwest quarter of Section 8, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, State of California, described as follows:

Lots 22 and 23 and that portion of Lots 12 through 17, inclusive of RIO GRANDE COLONY, as per map filed July 5, 1912 in Volume 6 of Maps, page 47, Stanislaus County Records more particularly described as follows:

BEGINNING at the Southwest corner of said Lot 17 on the original Northerly line of a 40 foot County Road known as Hatch Road, as shown on said Rio Grande Colony map; thence North 71° 14' 30" East along said original Northerly line of Hatch Road a distance of 1,459.37 feet to the Southeast Corner of said Lot 12; thence North 0° 22' 10" East along the East line of said Lot 12 a distance of 560.52 feet; thence South 78° 25' 05" West 113.59 feet; thence South 63° 18' 26" West 141.24 feet; thence South 58° 29' 47" West 99.72 feet; thence South 55° 51' 25" West 218.36 feet; thence South 54° 13' 46" West 133.19 feet; thence South 59° 19' 10" West 153.94 feet; thence South 63° 25' 41" West 127.67 feet; thence South 59° 23' 05" West 288.73 feet; thence South 57° 58' 12" West 198.75 feet; thence South 69° 23' 54" West 117.31 feet; to the West line of said Lot 17; thence South 0° 11' West along West line of Lot 17 a distance of 261.65 feet to the point of beginning.

Including also all of the original 40.00 foot wide Hatch Road located between above mentioned Lots 22, 23 and 12, 13; and the North one-half of original 40.00 foot wide Hatch Road immediately adjacent to above mentioned Lots 14 through 17.

SCHEDULE "A"

WORLD INVESTMENT NO. 4

MODESTO CITY COUNCIL
RESOLUTION NO. 81-315

A RESOLUTION ESTABLISHING LIMITATIONS ON THE USE OF WATER FROM THE MUNICIPAL WATER SYSTEM FROM JUNE 1, 1981, THROUGH SEPTEMBER 15, 1981.

WHEREAS, the City of Modesto obtains its entire supply of domestic water from 45 deep well pumping stations, and

WHEREAS, the conservation of ground water is a prudent and desirable goal and is necessary for the public health and safety, and

WHEREAS, it is timely for the City of Modesto to take those steps necessary to help insure an adequate local supply of water, and

WHEREAS, peak water demands on the municipal water system will occur between the hours of 4 p.m. and 8 p.m. from June 1, 1981, through September 15, 1981, and

WHEREAS, the Modesto Irrigation District has advised that the peak electric power demands on the Modesto Irrigation District system will occur between the hours of 4 p.m. and 8 p.m. from June 1, 1981, through September 15, 1981, and

WHEREAS, the University of California Cooperative Extension Service has advised that it is best to water lawns deeply, infrequently, and in the mornings, and

WHEREAS, Section 11-1.14, subsection (q), of the Modesto Municipal Code authorizes this Council to establish rules or regulations by resolution concerning the city's municipal water system,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The irrigation of all landscaped areas (lawns, ornamental gardens, shrubs, ornamental trees, etc.) from water supplied by the municipal water system is prohibited between the hours of 4 p.m. and 8 p.m. of each day, except Sundays, from June 1, 1981, through September 15, 1981.

2. Violations of the above prohibition are declared to be a waste of water and shall be handled by the Director of Public Works in accordance with the provisions of Section 11-1.14 of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of April, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-316

AMENDED

A RESOLUTION APPROVING /AGREEMENT BETWEEN THE CITY OF MODESTO AND KENNEDY/JENKS ENGINEERS FOR ENGINEERING SERVICES IN CONNECTION WITH WASTEWATER TREATMENT PLANT IMPROVEMENTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto

amended

that the /agreement between the City of Modesto and Kennedy/Jenks Engineers covering participation in the Value Engineering process in the wastewater treatment plant improvements and the preparation of plats and descriptions for rights of way and easements related to the land disposal project unit **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st **day of** April, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-317

A RESOLUTION AUTHORIZING THE TERMINATION OF AN AIRPORT LEASE AGREEMENT BETWEEN THE CITY OF MODESTO AND YOSEMITE AIRLINES

WHEREAS, on October 7, 1980, Yosemite Airlines entered into a written Airport Lease Agreement with the City of Modesto, wherein Yosemite Airlines was granted the right to use certain of the City's Airport facilities to engage in the business of providing air transportation, and

WHEREAS, Article XI of said Airport Lease Agreement authorizes the City of Modesto to terminate the Agreement upon thirty (30) days written notice should Yosemite Airlines default in its payment of fees under said agreement, and

WHEREAS, on April 10, 1981, the Director of Finance of the City of Modesto advised Yosemite Airlines that it was in default in its payment of fees under the Airport Lease Agreement, and requested that all delinquent fees be paid, and

WHEREAS, Yosemite Airlines has been and continues to be in default in its payment of fees under the Airport Lease Agreement,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City Manager be and hereby is authorized to give Yosemite Airlines thirty (30) days' written notice to cure its default in payment of fees under the hereinabove referred to Airport Lease Agreement, and should such default continue in effect for a period of thirty (30) days after the deposit of such notice in the United States Mail, the City Manager is further authorized to terminate said Airport Lease Agreement in accordance with the provisions of Article XI of said Agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of April, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-318

A RESOLUTION APPROVING APPOINTMENTS TO COUNCIL COMMITTEES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Councilmembers are hereby appointed to the designated committees as shown on "Attachment A", to serve two-year terms.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of April, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPOINTED 4/21/81

Two Year Terms*

Committee	Member	Alternate
Airport Committee	Elliott, Chairperson Bright	
Appointments Committee	Mensinger, Chairperson Elliott Patterson	 Vice-Mayor
Chamber of Commerce Board of Directors Liaison	Elliott	
Cities-County Committee	Elliott Patterson	
Community Energy Liaison Committee	Mensinger	Muratore
Council-Supervisors Liaison Committee	Mensinger Muratore	
Downtown Renaissance Committee	Mensinger, Chairperson Lang Siefkin	
Garbage Rate Study Committee	Lang Muratore	
Housing & Community Development Committee	Lang, Chairperson	
Housing Maintenance & Counseling Sub-Committee	Bright, Chairperson	
Housing Loan Pool Sub-Committee	Patterson	
League of California Cities/Central Valley Division Executive Committee	Bright Lang	
Public Projects Committee	Siefkin, Chairperson Elliott Bright	
School Site and Facilities Tax Advisory Committee	Siefkin	Elliott
Sister City Committee Liaison	Patterson	
Stanislaus Area Association of Governments	Lang Muratore Patterson	Bright Elliott Mensinger Siefkin
Stanislaus County Manpower Planning Advisory Board	Elliott	Patterson
Transportation & Traffic Committee	Muratore, Chairperson Siefkin	
Tuolumne River Regional Park Committee	Mensinger Bright	

4/21/81

*Except alternate for Appointments Committee

MODESTO CITY COUNCIL
RESOLUTION NO. 81-319

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $20,000 TO COVER COST REVENUE IMPACT SYSTEM (CRIS)

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Contingency Reserve (61.02 8911 01)	$20,000
TO:	CRIS/Diametrics (234.04 6502 01)	$20,000

To provide for the installation of the Cost/Revenue Impact System (CRIS), by Diametrics.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th **day of** April, 19 81, **by Councilmember** Patterson, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Maxine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-320

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF STREET LIGHT ON LA LOMA ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN ($2,115.56 - George DePonte)
(LaLoma Avenue between Santa Barbara and Santa Cruz Avenues)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on November 25, 1981, adopt its Resolution No. 80-1211, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of street light on La Loma Avenue on property abutting the property hereafter described; and

WHEREAS, April 28, 1981, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $2,115.56.

SECTION 2. That the cost of the aforesaid work, being the amount of $2,115.56, shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcel B as per map filed Nov. 17, 1977 in Vol. 26 of Parcel Maps, Page 20, Stanislaus County Records.
(Stan. County Assessor's Parcel No. 002-01 108-1553-030)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-321

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF street surfacing ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN (southeast corner of LaLoma and Santa Barbara Avenues - $3,536.34 - Lester R. Romine)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on November 25, 1981, adopt its Resolution No. 80-1211, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of street surfacing on property abutting the property hereafter described; and

WHEREAS, April 28, 1981, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $3,536.34.

SECTION 2. That the cost of the aforesaid work, being the amount of $3,536.34, shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcels A and D as per map filed Nov. 17, 1979, in Vol. 26 of Parcel Maps, Pg. 20, Stan. Cty. Records.
(Stan. Cty. Assessor's Parcels No.s 002-01 108-1552-030 and 002-01 108-1555-030)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-322

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING THE CITY'S ANNUAL REQUIREMENTS OF ROCK, SAND, AND GRAVEL PRODUCTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing the City's annual requirements of rock, sand, and gravel products **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 19, 1981, at 2:15 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th **day of** April, 19 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-323

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ANNUAL COMPACTION AND AGGREGATE TESTING SERVICES

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing annual compaction and aggregate testing services **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 26, 1981, at 2:05 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th **day of** April, **19**81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-324

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING THE ANNUAL REQUIREMENTS OF LIQUID ANHYDROUS AMMONIA

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing the annual requirements of liquid anhydrous ammonia

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 19, 1981, at 2:00 p.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-325

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINE EXTENSION IN SEATTLE AND SPOKANE AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of waterline extension in Seattle and Spokane has been completed by Joe Martin Pipeline, Inc.

in accordance with the contract agreement dated January 20, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterline extension in Seattle and Spokane be accepted from said contractor, Joe Martin Pipeline, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $26,392.50 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-326

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A REVOCABLE PERMIT BETWEEN THE CITY OF MODESTO AND HETCH HETCHY WATER & POWER FOR THE WIDENING OF THE STANDIFORD AVENUE CROSSING OF THE HETCH HETCHY RIGHT OF WAY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the revocable permit between the City of Modesto and Hetchy Hetchy Water & Power for the widening of the Standiford Avenue crossing of the Hetch Hetchy right of way be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1981, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-327

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE COUNTY OF STANISLAUS FOR ANNUAL RECREATION AGREEMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the County of Stanislaus **for** annual recreation agreement for 1980-81 (County will allocate and transfer to the City $55,638.32 for expenditures by the City on community recreation) **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th **day of** April, **19** 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-328

A RESOLUTION APPROVING AN AMENDED AGREEMENT BETWEEN THE CITY OF MODESTO AND CROCKER NATIONAL BANK (HOUSING MAINTENANCE PROGRAM)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the amended agreement between the City of Modesto and Crocker National Bank for three revisions to their agreement: 1) Addition of the recently approved 10% interest rate to the existing 3% and 5% rates; 2) increasing the cumulative deposit of Community Development Block Grant funds with Crocker from $1,396,000 to $1,577,000; 3) increase the bank loan committment funds from $3,200,000 to $3,842,000 to respond to continuing HMP loan activity, be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1981, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-329

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND VALLEY FREIGHT EXPRESS FOR A CONCESSION AT THE AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Valley Freight Express (a partnership of Gordon Keats, Bill Parks, and Cliff Pierce) **for** a one-year lease including rental of 500 square feet of terminal building, 400 square feet of apron, concession fee, and four parking spaces **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th **day of** April, 19 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-330

A RESOLUTION CANCELING **AGREEMENT BETWEEN THE CITY OF MODESTO AND** CASCO, INC. FOR LEASE OF FORMER VARNI PROPERTY (CASCO BUILDING) WHICH IS PART OF THE FUTURE CORPORATION YARD EXPANSION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Casco, Inc.

for lease of the former Varni property (Casco building) which is part of the future corporation yard expansion

be, and it is hereby canceled by request of the leasee.

BE IT FURTHER RESOLVED that the execution of said cancellation **by the designated city officials be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th **day of** April, **19** 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-331

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RONALD V. MANCINI AND MARC LACROSS FOR LEASE OF THE FORMER VARNI PROPERTY (CASCO BUILDING) WHICH IS PART OF THE FUTURE CORPORATION YARD EXPANSION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Ronald V. Mancini and Marc LaCross **for** lease of the former Varni property (Casco Building) which is part of the future corporation yard expansion **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th **day of** April, **19**81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-332

A RESOLUTION ORDERING THE HOUSER LANE NUMBER 1 GOVERNMENTAL REORGANIZATION TO THE CITY OF MODESTO WITHOUT NOTICE, HEARING, OR ELECTION.

WHEREAS, a petition signed by all of the owners of land residing within that certain territory known as the Houser Lane Number 1 Annexation in the County of Stanislaus requesting annexation of the Houser Lane Number 1 Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated April 15, 1981, approved said annexation to the City of Modesto upon condition that it be processed as a Governmental Reorganization pursuant to the provisions of Division 1 of Title 6 of the Government Code of the State of California, and designated said Governmental Reorganization the Houser Lane Number 1 Governmental Reorganization, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution ordered that said Governmental Reorganization consist of (a) the annexation of said territory to the City of Modesto; (b) the detachment of said territory from the Burbank-Paradise Fire Protection District; and (c) the annexation of said territory to the Modesto Municipal Sewer District; and that the territory be subject to the bonded indebtedness of the Sewer District, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution ordered that a negative declaration be filed as to the environmental effect of the subject Governmental Reorganization, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution designated the City of Modesto as the conducting authority for said Governmental Reorganization and authorized the Council of the City of Modesto to proceed without notice, hearing or election pursuant to section 56261 of the Government Code of the State of California,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the District Reorganization Act of 1964, as amended, have been complied with.

2. That the area or territory designated as the Houser Lane Number 1 Governmental Reorganization is more particularly described as attached hereto and made a part hereof by reference as though set forth in full herein.

3. Said territory is hereby annexed to and made a part of the City of Modesto.

4. Said territory is hereby detached from the Burbank-Paradise Fire Protection District.

5. Said territory is hereby annexed to the Modesto Municipal Sewer District No. 1. Said territory shall be subject to the authorized or existing bonded indebtedness of the Sewer District.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, a certified copy of this resolution, stating the date of its passage and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the Executive Officer of the Stanislaus County Local Agency Formation Commission together with a payment of all fees required by section 56450 of the California Government Code.

BE IT FURTHER RESOLVED that pursuant to section 56454 of the California Government Code, this Governmental Reorganization shall be effective on the date of execution of the certificate of completion by the Executive Officer of the Stanislaus County Local Agency Formation Commission.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of this Governmental Reorganization is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of said Governmental Reorganization.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

HOUSER LANE No. 1
GOVERNMENTAL REORGANIZATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southwestern corner of the CALIFORNIA-PANAMA ADDITION (364), as per description filed December 30, 1977, as Instrument 42193, Stanislaus County Records, said point being on the center line of 40.00 foot Houser Lane;

1. thence along the existing City Limits on a Western boundary of said ADDITION (364), North 00° 07' 46" West, 220.00 feet;

2. thence continuing along the existing City Limits on a Southern boundary of said Addition (364), South 89° 46' 38" West, 180.00 feet;

3. thence leaving the existing City Limits, South 00° 07' 46" East, 220.00 feet, to the center line of 40 foot Houser Lane;

4. thence along said center line, North 89° 46' 38" East, 180.00 feet, to the point of beginning, containing 0.909 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 333

A RESOLUTION VACATING AND ABANDONING A PORTION OF A 10-FOOT PUBLIC UTILITY EASEMENT IN LOT 14 OF BLOCK 12305 IN THE CITY OF MODESTO PURSUANT TO SECTION 8333 OF THE STREETS AND HIGHWAYS CODE.

WHEREAS, Section 8333 and following of the California Streets and Highways Code authorize a city council, by resolution, to vacate and abandon easements, and

WHEREAS, there is an easement in Lot 14 of Block 12305 on the real property described in Exhibit "A" attached hereto, which is a portion of a 10-foot public utility easement, and

WHEREAS, the Council finds and declares that:

1. The abandonment and vacation is made pursuant to Chapter 4 of Part 3 of Division 9 of the Streets and Highways Code.

2. The date of dedication of the property described in Exhibit "A" is less than five years, and more than one year immediately preceding the proposed abandonment and vacation, and the easement was not used continuously since that date.

3. That from and after the date this resolution is recorded, the easement vacated will no longer constitute a public utility easement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a portion of the 10-foot public utility easement in Lot 14 of Block 12305 in the City of Modesto which is described in Exhibit "A", which is attached hereto and incorporated by reference herein be, and it is hereby vacated and abandoned, such vacation and abandonment to be effective upon the recording of a certified copy of this resolution in the Stanislaus County Recorder's Office.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Robert Campbell
Public Works Department

LD 81-F
Parcel 12305-1

VACATE AND ABANDON A PORTION OF A 10-FOOT PUBLIC UTILITY EASEMENT IN BLOCK 12305

All that real property in the State of California, County of Stanislaus, City of Modesto, being a portion of the Southwest quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the Northwestern corner of Lot 14 in Block 12305 of KING ARTHUR'S CAMELOT Subdivision, as per map filed June 8, 1965 in Volume 21 of Maps, Page 13, Stanislaus County Records; thence along the Western line of said Lot 14, said line also being the Eastern line of 50.00 foot Guinevere Lane, South 00° 47' East, 10.00 feet, to a point on a line which is parallel with and 10.00 feet, measured at right angles, Southerly from the Northern line of Lot 14; thence along said parallel line, South 89° 30' East, 10.00 feet, to the true point of beginning of this description; thence continuing along the Southern line of the existing 10-foot public utility easement in Lot 14, South 89° 30' East, 74.78 feet, to a point on the Eastern line of Lot 14; thence along said Eastern line of Lot 14, North 00° 30' East, 5.00 feet, to a point on a line which is parallel with and 5.00 feet, measured at right angles, Southerly from the Northern line of Lot 14; thence along said last mentioned parallel line, North 89° 30' West, 74.89 feet, to a point on a line which is parallel with and 10.00 feet, measured at right angles, Easterly from the Western line of Lot 14; thence along said last mentioned parallel line, South 00° 47' East, 5.00 feet, to the point of beginning.

EXHIBIT A

MODESTO CITY COUNCIL
RESOLUTION NO. 81 - 334

A RESOLUTION VACATING AND ABANDONING EXISTING 4.00 FOOT WIDE PUBLIC UTILITY EASEMENTS ACROSS LOTS 7 AND 22, BLOCK 13363 AND LOTS 10 AND 20, BLOCK 13367 IN THE CITY OF MODESTO PURSUANT TO SECTION 8333 OF THE STREETS AND HIGHWAYS CODE.

WHEREAS, Section 8333 and following of the California Streets and Highways Code authorize a city council, by resolution, to vacate and abandon easements, and

WHEREAS, there are existing 4.00 foot wide public utility easements across Lots 7 and 22, Block 13363 and Lots 10 and 20 Block 13367 on the real property described in Exhibit "A" attached hereto, and

WHEREAS, the Council finds and declares that:

1. The abandonment and vacation is made pursuant to Chapter 4 of Part 3 of Division 9 of the Streets and Highways Code.

2. The date of dedication of the property described in Exhibit "A" is less than five years, and more than one year immediately preceding the proposed abandonment and vacation, and the easements were not used continuously since that date.

3. That from and after the date this resolution is recorded, the easements vacated will no longer constitute public utility easements.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the existing 4.00 foot wide public utility easements across Lots 7 and 22, Block 13363 and Lots 10 and 20, Block 13367 in the City of Modesto which are described in Exhibit "A", which is attached hereto and incorporated by reference herein be, and they are hereby vacated and abandoned, such vacation and abandonment to be effective upon the recording of a certified copy of this resolution in the Stanislaus County Recorder's Office.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

VACATE AND ABANDON PUBLIC UTILITY EASEMENTS IN BLOCKS 13363 and 13367

All that real property in the State of California, County of Stanislaus, City of Modesto, being a portion of the Northwest quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

PARCEL 13363-2

Commencing at the Southwestern corner of Lot 22 in Block 13363 of HOLLANDIA VILLAS Subdivision, as per map filed November 15, 1979 in Volume 28 of Maps, Page 72, Stanislaus County Records, said point being on a non-tangent curve from which point a radial line bears South 11° 59' 26" West; thence along the Western line of said Lot 22, North 17° 02' 41" East, 10.04 feet, to the true point of beginning of this description, said point being on a non-tangent curve from which point a radial line bears South 12° 04' 17" West; thence continuing along said Western line of Lot 22, North 17° 02' 41" East, 75.61 feet, to the Southwestern corner of Lot 7 in said Block 13363 of Hollandia Villas Subdivision; thence along the Western line of said Lot 7, North 00° 58' 58" West, 2.58 feet, to a point on a non-tangent curve from which point a radial line bears North 00° 58' 58" West; thence Easterly along said last mentioned non-tangent curve concave to the North, having a Radius of 50.00 feet, a Central Angle of 4° 35' 18" and an Arc Length of 4.00 feet, to a point on a line which is parallel with and 4.00 feet, measured at right angles, Easterly from said Western line of Lot 7, said line also being the Eastern line of the 4.00 foot wide public utility easement in Lot 7; thence along said parallel line, South 00° 58' 58" East, 4.04 feet, to a point on the Southwestern line of Lot 7; thence along said Southwestern line of Lot 7, North 72° 57' 19" West, 0.21 feet, to a point on a line which is parallel with and 4.00 feet, measured at right angles, Easterly from said Western line of Lot 22, said parallel line being the Eastern line of the 4.00 foot wide public utility easement in Lot 22; thence along said last mentioned parallel line, South 17° 02' 41" West, 75.27 feet, to a point on a non-tangent curve from which point a radial line bears South 12° 26' 18" West; thence Westerly along said last mentioned non-tangent curve, having a Radius of 626.90 feet, a Central Angle of 00° 22' 01" and an Arc Length of 4.01 feet, to the true point of beginning.

PARCEL 13367-5

Commencing at the Northwestern corner of Lot 10 in Block 13367 of HOLLANDIA VILLAS Subdivision, as per map filed November 15, 1979 in Volume 28 of Maps, Page 72, Stanislaus County Records; thence along the Northern line of said Lot 10, North 89° 17' 45" East, 10.00 feet, to the true point of beginning of this description; thence continuing along said Northern line of Lot 10, North 89° 17' 45" East, 70.00 feet, to a point on a line which is parallel with and 10.00 feet, measured at right angles, Westerly from the Eastern line of Lot 10; thence along said parallel line, South 00° 42' 15" East, 4.00 feet, to a point on a line which is parallel with and 4.00 feet, measured at right angles, Southerly from the

Northern line of Lot 10; thence along said last mentioned parallel line, South 89° 17' 45" West, 70.00 feet, to a point on a line which is parallel with and 10.00 feet, measured at right angles, Westerly from the Western line of Lot 10; thence along said last mentioned parallel line, North 00° 42' 15" West, 4.00 feet, to the true point of beginning.

PARCEL 13367-6

Commencing at the Northwestern corner of Lot 20 in Block 13367 of HOLLANDIA VILLAS Subdivision, as per map filed November 15, 1979 in Volume 28 of Maps, Page 72, Stanislaus County Records; thence along the Northern line of said Lot 20, North 89° 17' 45" East, 10.00 feet, to the true point of beginning of this description; thence continuing along said Northern line of Lot 20, North 89° 17' 45" East, 70.00 feet, to a point on a line which is parallel with and 10.00 feet, measured at right angles, Westerly from the Eastern line of Lot 20; thence along said parallel line, South 00° 42' 15" East, 4.00 feet, to a point on a line which is parallel with and 4.00 feet, measured at right angles, Southerly from the Northern line of Lot 20; thence along said last mentioned parallel line, South 89° 17' 45" West, 70.00 feet, to a point on a line which is parallel with and 10.00 feet, measured at right angles, Westerly from the Western line of Lot 20; thence along said last mentioned parallel line, North 00° 42' 15" West, 4.00 feet, to the true point of beginning.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-335

A RESOLUTION VACATING AND ABANDONING A PORTION OF A 10-FOOT PUBLIC UTILITY EASEMENT IN LOT 14 OF BLOCK 6543 IN THE CITY OF MODESTO PURSUANT TO SECTION 8333 OF THE STREETS AND HIGHWAYS CODE.

WHEREAS, Section 8333 and following of the California Streets and Highways Code authorize a city council, by resolution, to vacate and abandon easements, and

WHEREAS, there is an easement in Lot 14 of Block 6543 on the real property described in Exhibit "A" attached hereto, which is a portion of a 10-foot public utility easement, and

WHEREAS, the Council finds and declares that:

1. The abandonment and vacation is made pursuant to Chapter 4 of Part 3 of Division 9 of the Streets and Highways Code.

2. The easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

3. That from and after the date this resolution is recorded, the easement vacated will no longer constitute a public utility easement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a portion of the 10-foot public utility easement in Lot 14 of Block 6543 in the City of Modesto which is described in Exhibit "A", which is attached hereto and incorporated by reference herein be, and it is hereby vacated and abandoned, such vacation and abandonment to be effective upon the recording of a certified copy of this resolution in the Stanislaus County Recorder's Office.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEA)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ken Campbell
Public Works Department

LD 81-D
Parcel 6543-1

VACATE AND ABANDON A PORTION OF A 10-FOOT
PUBLIC UTILITY EASEMENT IN BLOCK 6543

All that real property in the State of California, County of Stanislaus, City of Modesto, being a portion of the Northwest quarter of Section 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the Southwestern corner of Lot 14 in Block 6543 of SKYLANE PARK UNIT NO. 3 Subdivision, as per map filed May 14, 1963 in Volume 20 of Maps, Page 43, Stanislaus County Records; thence along the Western line of said Lot 14, said line also being the Eastern line of 50.00 foot Apache Lane, North 00° 46' 30" West, 10.00 feet, to a point on a line which is parallel with and 10.00 feet, measured at right angles, Northerly from the Southern line of Lot 14; thence along said parallel line, said line also being the Northern line of the existing 10.00 foot public utility easement in Lot 14, North 89° 13' 30" East, 10.00 feet, to the true point of beginning of this description; thence continuing North 89° 13' 30" East, 85.00 feet, to a point on a line which is parallel with and 5.00 feet, measured at right angles, Westerly from the Eastern line of Lot 14; thence along said last mentioned parallel line, said line being the Western line of the 5.00 foot public utility easement in Lot 14, South 00° 46' 30" East, 5.00 feet, to a point on a line which is parallel with and 5.00 feet, measured at right angles, Northerly from the Southern line of Lot 14; thence along said last mentioned parallel line, South 89° 13' 30" West, 85.00 feet, to a point on a line which is parallel with and 10.00 feet, measured at right angles, Easterly from the Western line of Lot 14; thence along said last mentioned parallel line, North 00° 46' 30" West, 5.00 feet, to the point of beginning

EXHIBIT A

MODESTO CITY COUNCIL
RESOLUTION NO. 81-336

A RESOLUTION APPROVING APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FOR FISCAL YEAR 1981-82

BE IT RESOLVED by the Council of the City of Modesto that the submission of an application to the Federal Government for a Community Development Block Grant for fiscal year 1981-82, for neighborhood revitalization, removal of handicap barriers, and Land Bank for Housing Assistance Plan be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of the application by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-337

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO P-D(21) - TULLY MANOR INVESTMENT TRUST

WHEREAS, the Modesto City Planning Commission held a public hearing on April 20, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to P-D(21) to allow service of alcoholic beverages in conjunction with meals at the Purple Lantern Restaurant, located at the southeast corner of Tully Road and Standiford Avenue; and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-102 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to P-D(21) of the Zoning Map be set for May 26, 1981, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-338

A RESOLUTION ADOPTING A POLICY FOR CONDUCT OF OFFICIAL BUSINESS BY THE CITY COUNCIL AND BOARDS, COMMISSIONS AND COMMITTEES OF THE CITY OF MODESTO

WHEREAS, the City Council deems it desirable to adopt a policy for conduct of official business by the City Council and Boards, Commissions and Committees of the City of Modesto.

BE IT HEREBY RESOLVED that the City Council of the City of Modesto does hereby adopt the policy statement entitled, "Policy for Conduct of Official Business by the City Council and Boards, Commissions and Committees of the City of Modesto", a copy of which is attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1981, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

POLICY FOR CONDUCT OF OFFICIAL BUSINESS BY THE CITY COUNCIL AND BOARDS, COMMISSIONS AND COMMITTEES OF THE CITY OF MODESTO.

Background

The citizens of Modesto are entitled to have the business of the City of Modesto conducted by public officials who act in an independent, honest, fair and impartial manner. The State Legislature has enacted laws (Government Code Sections 1090 et seq. and 81000 et seq.) which set forth the basis for determining when officials of the City of Modesto have a conflict of interest.

Purpose

The purpose of this policy statement is to set forth a code of conduct for the Members of the City Council and Boards, Commissions and Committees of the City of Modesto that will, in combination with the above referred to state laws, enable the citizens of Modesto to have confidence in the integrity of their City government and City officials.

Policy

The members of the City Council and of each Board, Commission and Committee of the City of Modesto shall:

1. Respect the rule of law.
2. Adhere to the principles of ethical conduct in performing public duties.
3. Work for the common good of the City of Modesto and its citizens and not for any private interest.
4. Promote the principle and practice of good government and good citizenship.
5. Provide fair and equal treatment for all persons and matters coming before the Council or Board, Commission or Committee and attend all meetings unless unable to do so because of a compelling reason or disability.
6. Provide a forum for the full and free discussion of all matters which come before the City Council, Board, Commission or Committee.
7. Learn and study the background and purposes of items of business before voting.
8. Faithfully perform all duties of the member's particular office.
9. Refrain from disclosing any confidential information obtained as an official of the City of Modesto.
10. Avoid any actions which might compromise or impair independence of judgment or action.
11. Avoid any actions which would improperly influence any pending matter.
12. Take no action in an official capacity which is inconsistent with official policies and positions of the City approved by the City Council, Board, Commission or Committee of the City which has jurisdiction and authority to determine such policy. This in no way limits or restricts a member of the City Council or of a Board, Commission or Committee of the City of Modesto from taking action which reflects his/her personal views or position as an individual member of the City Council or of a Board, Commission or Committee. (See Modesto City Charter Section 601.)

Approved on April 28, 1981, by Modesto City Council Resolution No. 81-338.

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 339

A RESOLUTION ESTABLISHING MUNICIPAL OFF-STREET PARKING FACILITIES, PROVIDING FOR CONTROL THEREOF, AND RESCINDING RESOLUTION NO. 80-1203.

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. PARKING METER LOTS. The municipal off-street parking facilities specified on Exhibit "A" attached hereto are hereby established as parking meter lots to be controlled by parking meters. Parking time limits, rates of fees, and monthly fees for parking passes and reserved parking for said parking meter lots shall be as shown on Exhibit "A". Said Exhibit "A" is hereby incorporated by reference and made a part of this resolution.

SECTION 2. ATTENDANT LOTS. (a) The following municipal off-street parking facilities are hereby established as parking attendant lots:

(1) PAL-2 east side of 9th Street between I and J Streets

(2) PAL-4a west side of 11th Street between H and I Streets (street level)

(3) PAL-28 west side of 11th Street between I and J Streets

(b) Vehicular parking on said parking attendant lots shall be controlled and regulated by parking attendants as follows:

(1) PAL-2 from 8:00 A.M. to 6:00 P.M., Monday through Friday

(2) PAL-4a from 8:00 A.M. to 6:00 P.M., Monday through Friday

(3) PAL-28 from 8:00 A.M. to 6:00 P.M. Monday through Friday

(c) The rate of twenty-five cents (25¢) per hour or fraction thereof, unless validated in accordance with the provisions of Section 3-2.1604 of the

Modesto Municipal Code, is hereby established for said parking attendant lots PAL-2, PAL-4a and PAL-28. The price for validation stamps to be used with the validation system on said parking attendant lots, as provided by Section 3-2.1604 of the Modesto Municipal Code, shall be thirty cents (30¢) per stamp.

(d) The Director of Parking and Traffic may designate spaces in parking attendant lots for the free parking of bicycles. When appropriate signs are erected, bicycles may be parked in such areas without charge.

(e) Monthly parking passes may be authorized by the Director of Parking and Traffic on parking attendant lots PAL-2 and PAL-28 when it does not encroach on the needs of shopper parking. The monthly charges for such passes shall be Ten and no/100ths ($10.00) Dollars for PAL-2 and Twenty and no/100ths ($20.00) Dollars for PAL-28.

(f) Reserved parking may be authorized by the Director of Parking and Traffic on parking attendant lot PAL-4a when it does not encroach on the needs of shopper parking. Charges for reserved parking shall be Twenty and no/100ths ($20.00) Dollars.

SECTION 3. PARKING TICKET LOTS. (a) The following municipal off-street parking facilities are hereby established as parking ticket lots:

(1) PTL-20 west side of 10th Street between G and H Streets and south of PTL-23, (Old City Hall)

(2) PTL-23 west side of 10th Street between G and H Streets (Brack-Griffin)

(3) PTL-34 southwest corner of 10th and K Streets

(4) PTL-37 northeast corner of 9th and I Streets

(b) Vehicular parking on said parking ticket lots PTL-20, PTL-23, PTL-34 and PTL-37 shall be controlled by means of ticket dispensing devices from 9:00 A.M. to 4:30 P.M., Monday through Friday.

(c) The rate of fifty cents (50¢) per day or fraction thereof is hereby established for said parking ticket lots PTL-20, PTL-23, PTL-34 and PTL-37.

(d) Monthly parking passes may be authorized by the Director of Parking and Traffic on any parking ticket lot when it does not encroach on the needs of shopper parking. The monthly charges for such passes shall be Ten and no/100ths ($10.00) Dollars.

SECTION 4. FREE PARKING LOTS. (a) The following municipal off-street parking facilities shall be free parking lots:

(1)	PL-10	east side of 8th Street between I and K Streets
(2)	PL-13	north side of H Street between 15th and 16th Street (Modesto Stanislaus Library)
(3)	PL-15	east side of 11th Street between F and G Streets (north of Fire Station #1)
(4)	PL-16	east side of 11th Street between F and G Streets (south of Fire Station #1)
(5)	PL-27	Southern Pacific Depot between I and K Streets
(6)	PL-31	between Downey Avenue, H, I, and 17th Streets (Lincoln School Site)

(b) Parking time limit on PL-13 shall be either no time limit or in portions as posted, a two-hour time limit 8:00 a.m. to 5:00 p.m., Monday through Friday.

SECTION 5. REPEALS. Resolution No. 80-1203 adopted November 25, 1980, is hereby repealed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

	PARKING METER LOT NUMBER	LOCATION	TIME LIMITS & FEE CLASSIFICATION	FEES FOR MONTHLY PASSES	MONTHLY FEE FOR RESERVED SPACE
1.	PML-2a	Alley between 9th, 10th, I and J Streets	PM-1	*	**
2.	PML-3	Southeast corner of 12th and I Streets	PM-3	*	**
3.	PML-11	Southwest corner of 10th and H Streets	PM-2	*	$15.00 ***
4.	PML-21	Southwest corner of 11th and K Streets	PM-4	$10.00	**
5.	PML-24	Southeast corner of 9th and J Streets	PM-1	*	**
6.	PML-25	Southeast corner of 9th and I Streets	PM-1	$10.00	**
7.	PML-30	East side of 12th Street between J and K Streets	PM-3	$10.00	**
8.	PML-32	East side of 10th Street between J and K Streets	PM-1	$10.00	**
9.	PML-33	Northeast corner of 10th and H Streets	PM-1	*	$15.00****
10.	PML-35	County Administration Lot, between 11th, 12th, G and H Streets	PM-5	*	**

* Monthly passes are not authorized
** Reserved spaces are not authorized
*** No limit on the number of spaces reserved
****The number of spaces reserved is limited to a maximum of 15

TIME LIMITS AND FEE CLASSIFICATION

PM-1: Three (3) hour limit, 9 a.m. to 6 p.m., Monday through Friday; five (5¢) cents per one-half (1/2) hour or fraction thereof.

PM-2: Five (5) hour limit, 9 a.m. to 6 p.m. Monday through Friday; five (5¢) cents per one-half (1/2) hour or fraction thereof.

PM-3: No time limit, 9 a.m. to 6 p.m., Monday through Friday, five (5¢) cents per one-half (1/2) hour or fraction thereof.

PM-4: No time limit, 9 a.m. to 6 p.m., Monday through Friday; twenty-five (25¢) cents per hour or fraction thereof.

PM-5: Time limit as posted, either twenty-four (24) minute or one hour time limit, 8 a.m. to 5 p.m., Monday through Friday; one (1¢) cent per six (6) minutes or fraction thereof.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-340

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR RESTRIPING STANDIFORD AVENUE NEAR COLUMBINE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for restriping Standiford Avenue near Columbine

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 16, 1981 at 11:00 a.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-341

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ANNUAL DRY CELL BATTERY REQUIREMENTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing annual dry cell battery requirements

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 26, 1981, at 2:00 p.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-342

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR REFINISHING OF CLARIFIER NO. 1 AT THE CITY OF MODESTO WATER QUALITY CONTROL PLANT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for refinishing of Clarifier No. 1 at the City of Modesto Water Quality Control Plant copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 19, 1981, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-343

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING THE CITY'S ANNUAL REQUIREMENTS OF READY-MIXED CONCRETE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing the City's annual requirements of ready-mixed concrete

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 2, 1981, at 2:10 p.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-344

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING SWIMMING POOL CHLORINE AND MURATIC ACID

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing swimming pool chlorine and muratic acid

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 2, 1981, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-345

A RESOLUTION ACCEPTING THE BID OF GEORGE REED, INC. FOR WHEELCHAIR RAMPS, PROJECT 1

WHEREAS, Resolution No. 81-282, adopted by the Council of the City of Modesto on April 14, 1981, approved the plans and specifications for the construction of wheelchair ramps at various locations in the City of Modesto and authorized the calling for bids; and

WHEREAS, the bids received for the construction of wheelchair ramps at various locations were opened on April 28, 1981, at 2:00 p.m., and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of George Reed, Inc. in the amount of $24,950 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of George Reed, Inc. in the amount of $24,950 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-346

A RESOLUTION ACCEPTING THE BID OF GRAHAM CONTRACTORS, INC. FOR HEATER REMIX AND SLURRY SEAL, SPRING, 1981

WHEREAS, Resolution No.81-254, adopted by the Council of the City of Modesto on April 7, 1981 , approved the plans and specifications for the heater remix and slurry seal, Spring, 1981 and authorized the calling for bids; and

WHEREAS, the bids received for the heater remix and slurry seal, Spring, 1981 were opened at 11:05 a.m. on April 28, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Graham Contractors, Inc. in the amount of $57,913.40 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Graham Contractors, Inc. in the amount of $57,913.40 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May , 1981 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-347

A RESOLUTION ACCEPTING THE BID OF ACME CONSTRUCTION CO. FOR CONSTRUCTION OF THE MCHENRY MUSEUM ELEVATOR

WHEREAS, Resolution No. 81-243 adopted by the Council of the City of Modesto on April 7, 1981 , approved the plans and specifications for the construction of the McHenry Museum elevator and authorized the calling for bids; and

WHEREAS, the bids received for the construction of the McHenry Museum elevator were opened at 11:00 a.m. on April 28, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Acme Construction Co. in the amount of $109,800 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Acme Construction Co. in the amount of $109,800 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May , 19 81 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-348

A RESOLUTION ACCEPTING THE BID OF LEE WHITE PAVING FOR THE RECONSTRUCTION OF TRASK LANE FROM YOSEMITE BOULEVARD TO HADDON AVENUE

WHEREAS, Resolution No.81-255, adopted by the Council of the City of Modesto on April 7,1981 , approved the plans and specifications for the reconstruction of Trask Lane from Yosemite Boulevard to Haddon Avenue and authorized the calling for bids; and

WHEREAS, the bids received for the reconstruction of Trask Lane from Yosemite Boulevard to Haddon Avenue were opened at 11:10 a.m. on April 28, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Lee White Paving in the amount of $84,559.50 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Lee White Paving in the amount of $84,559.50 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May , 1981 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-349

A RESOLUTION ACCEPTING THE BID OF CENTRAL STRIPING SERVICE FOR THE DOWNEY AND DAVIS PARKS TENNIS COURTS REFINISHING

WHEREAS, Resolution No. 81-244, adopted by the Council of the City of Modesto on April 7, 1981, approved the plans and specifications for the Downey and Davis Parks tennis courts refinishing and authorized the calling for bids; and

WHEREAS, the bids received for the Downey and Davis Parks tennis courts refinishing were opened at 11:15 a.m. on April 28, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Central Striping Service in the amount of $13,219.20 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Central Striping Service in the amount of $13,219.20 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-350

A RESOLUTION APPROVING A PURCHASE ORDER INCREASE FROM $11,815 TO $14,815 AND WAIVING FORMAL BIDS ON PURCHASE ORDER NO. 17166 FOR TESTING SERVICES PERFORMED BY WESTERN STATES TESTING ON THE WEST TRUNK SEWER PROJECT

WHEREAS, Purchase Order No. 17166 was issued to Western States Testing to perform testing services in conjunction with the West Trunk Sewer Project, in accordance with Council Resolution No. 79-1029 which authorized Western States Testing to perform our testing services for the fiscal year 1979-80; and

WHEREAS, due to the size of the project, more tests were required than were originally anticipated; and

WHEREAS, it is requested and recommended that approval be given for a revised purchase order to increase the original purchase order by $3,000 to a total estimated cost of $14,815.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the increase in Purchase Order No. 17166 from $11,815 to $14,815 and waiving formal bids for services performed by Western States Testing on the West Trunk Sewer project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-351

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF JOE KOLLMEYER FROM THE FARM-CITY ADVISORY COMMITTEE, EFFECTIVE MAY 5, 1981

WHEREAS, Joe Kollmeyer was appointed a member of the Farm-City Advisory Committee on July 7, 1975; and

WHEREAS, Joe Kollmeyer has tendered his resignation from the Farm-City Advisory Committee, effective May 5, 1981; and

WHEREAS, Joe Kollmeyer has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED that the resignation of Joe Kollmeyer from the Farm-City Advisory Committee be, and hereby is accepted with regret.

BE IT FURTHER RESOLVED that the Council of the City of Modesto, on its own behalf, and on behalf of the citizens of this City, hereby expresses its sincere appreciation to Joe Kollmeyer for his outstanding service to the community.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 352

A RESOLUTION APPROVING SUBMISSION OF A CLAIM TO THE STANISLAUS AREA ASSOCIATION OF GOVERNMENTS FOR NON-MOTORIZED MONEY IN THE AMOUNT OF $31,000.

WHEREAS, the Stanislaus Area Association of Governments, (SAAG), has advised the City of Modesto that non-motorized money is available for specific non-motorized projects, and

WHEREAS, non-motorized money can be used to finance one-half the cost of said projects, and

WHEREAS, the City of Modesto has provided for financing of one-half of said projects in its annual claim for Local Transportation Funds for Fiscal Year 1981-82.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Modesto, that a claim be filed with SAAG for $31,000 to finance one-half the cost of the following projects in Fiscal Year 1981-82.

Account	Description	Total Cost	Non-motorized Money Claim
6388	Bike Lanes - Restripe	$ 9,000	$ 4,500
6399	Miscellaneous New Bike Lanes/ Stripe and Sign	13,000	6,500
6398	Bike Path - TSRR/Bowen to Hetch Hetchy	40,000	20,000
	Total Non-motorized		$31,000

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-353

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON PRESENTATION OF 1981-82 PRELIMINARY BUDGET AND FOUR-YEAR CAPITAL IMPROVEMENT PROGRAM 1981-82 THROUGH 1984-85

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 9, 1981, at 7:30 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of the 1981-82 Preliminary Budget and four-year Capital Improvement Program 1981-82 through 1984-85.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-354

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND BIRT A. LOWERY FOR THE PURCHASE OF 1,125± SQUARE FEET OF RIGHT OF WAY NEEDED TO WIDEN SYLVAN AVENUE JUST EAST OF MCHENRY AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Bird A. Lowery

for the purchase of 1,125± square feet of right of way needed to widen Sylvan Avenue just east of McHenry Avenue

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th **day of** May, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-355

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOHN E. AND DONNA J. KIDD FOR SEWER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 911 CHICAGO LOCATED ON THE NORTH SIDE OF CHICAGO AVENUE BETWEEN HARRIS AVENUE AND MAYETTE AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and John E. and Donna J. Kidd **for** sewer service to property outside City limits at 911 Chicago located on the north side of Chicago Avenue between Harris Avenue and Mayette Avenue **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th **day of** May, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-356

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 8-3-9 OF THE ZONING MAP (RULE-DALE PROPERTIES)

WHEREAS, the Modesto City Planning Commission held a public hearing on April 20, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 8-3-9 of the Zoning Map to rezone from R-2 to P-D(302) to allow conversion to condominiums, property located around Cougar Court south of Union Avenue

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-101 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 8-3-9 of the Zoning Map be set for May 26, 1981, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

ALL that certain real property situate in a portion of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and lying within the City of Modesto, County of Stanislaus, State of California, described as follows:

BEING Lots 21-30 of Block 13050 as shown on that certain map entitled "CONTINENTAL PLAZA" filed in Volume 26 of Maps, at Page 85, Stanislaus County Record on June 24, 1977.

Including also all of the Southerly one-half of West Union Avenue and all of Cougar Court immediately adjacent to the above described property.

SCHEDULE "A"
RULE-DALE PROPERTIES

MODESTO CITY COUNCIL
RESOLUTION NO. 81-357

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO THE ADOPTED ZONING AND DEVELOPMENT PLAN FOR THE ORCHARD NEIGHBORHOOD

WHEREAS, the Modesto City Planning Commission held a public hearing on June 2, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to the adopted Zoning and Development Plan for the Orchard Neighborhood; and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-103 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to the Orchard Neighborhood Plan be set for June 2, 1981, at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-358

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 10-2.1801(a) OF THE ZONING ORDINANCE RELATING TO HANDICAPPED PARKING SPACES

WHEREAS, the Modesto City Planning Commission held a public hearing on April 20, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 10-2.1801(a) of the Zoning Ordinance relating to handicapped parking spaces; and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-100, recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 10-2.1801(a) of the Zoning Map be set for June 2, 1981, at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-359

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO ARTICLES 20, 21, AND 22 OF THE ZONING ORDINANCE PERTAINING TO SETTING OF AND NOTICE FOR PUBLIC HEARINGS

WHEREAS, the Modesto City Planning Commission held a public hearing on April 20, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Articles 20, 21, and 22 of the Zoning Ordinance pertaining to setting of and notice for public hearings; and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-104 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Articles 20, 21, and 22 of the Zoning Ordinance be set for June 2, 1981, at 4:00 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-360

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO THE EMPIRE EAST GENERAL PLAN TO DELETE THE URBAN RESERVE AREA EAST OF EMPIRE AND RETURN IT TO AGRICULTURAL DESIGNATION

WHEREAS, the Modesto City Planning Commission held a public hearing on April 6, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to the Empire East General Plan to delete the Urban Reserve Area east of Empire and return it to Agricultural designation; and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-95 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to the Empire East General Plan be set for May 26, 1981, at 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO.81-361

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO REGARDING STATE OF CALIFORNIA PRIORITIZATION OF MUNICIPAL SERVICES

WHEREAS, the Governor of California has submitted a proposed 1981-82 State Budget to the Legislature which would sharply reduce revenues to cities of this State and change the distribution of property taxes now supporting city governments in California; and

WHEREAS, the Governor's Budget proposal maintains State programs through funding caseload and workload increases, price adjustments, merit salary increases and partial cost of living increases, and provides new spending for prisons, pesticides, toxic materials, earthquake readiness, and conservation and economic investments while reducing revenues to local governments which will necessitate major program cuts in basic city services; and

WHEREAS, the Governor's Budget proposal shifts $920 million in property tax away from cities and counties to fund State programs clearly in contravention of the philosophy that property tax should be used for property related purposes, such as police, fire and street maintenance; and

WHEREAS, the Governor's Budget proposes to use $250 million shifted from city and county revenues to restore the monetary reserve of the State Government while cities are losing reserves and reducing basic services, such as police, fire, street maintenance, park maintenance and street lighting to meet revenue reductions; and

WHEREAS, Proposition 13 has removed almost all revenue raising authority from city councils and placed the financing of city government largely in the hands of the State of California.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Modesto does hereby oppose the Governor's proposed 1981-82 Budget as totally inadequate in addressing the service needs of this City, Stanislaus County, the School District serving the children of this City, and special districts providing services to residents of this City; and

BE IT FURTHER RESOLVED that the State Legislature take immediate steps to develop a 1981-82 State Budget that will provide the following:

1. Design the cuts in revenues so as to leave all categories of agencies from the State Government to the smallest local district with the same approximate unrestricted revenue growth in 1981-82.
2. Eliminate the deflator mechanism of AB 8 (1979) which has proven totally unworkable and oppose any new government financing measure which contains a "deflator" mechanism permitting local funding to be withdrawn without a vote of the Legislature.

3. Retain property tax as a local government revenue because local government services are property related and because the property tax can provide an incentive for cities, counties and districts to seek new construction and growth.
4. Utilize a more equitable method than the Governor's budget formula now contained in SB 111/AB 251 which is based on the amount of bail-out assistance received under AB 8 to allocate reductions in revenues to local government agencies in 1981-82.
5. Eliminate the Governor's $120 million law enforcement and crime prevention initiative. The initiative redirects money away from law enforcement in cities to State projects and forces counties to channel money which could be spent locally for jails through the State Government at a time when the withdrawal of such money from local agencies will cause reduction of law enforcement programs at the city level.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to send copies of this resolution to the Governor of California, to the State Legislators representing the people of this City, to the League of California Cities; and to the cities of the Central Valley Division of the League of California Cities.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle

NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-362

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO EXPRESSING ITS SUPPORT OF EFFORTS BY THE FEDERAL ADMINISTRATION TO RETURN POWERS TO LOCAL ENTITIES AND URGING A CAREFUL IMPLEMENTATION OF THOSE EFFORTS IN WAYS THAT WILL ENHANCE, NOT FURTHER IMPEDE, HOME RULE

WHEREAS, the current administration has pledged itself to reducing the costs of the federal government while, at the same time, returning to local entities many of the powers that have gradually been assumed in Washington over a period of many years as a part of extensive federal funding activities; and

WHEREAS, cities throughout the nation and most certainly the City of Modesto have, in many past instances, utilized federal funds well and efficiently to implement policies and programs of vital concern and assistance to the people of those cities; and

WHEREAS, these federal funds have been best utilized and most helpful when they were unconstrained by conditions and regulations unrelated to the objectives and realities of the local community utilizing the funds; and

WHEREAS, the current federal administration has indicated that a part of its fiscal and regulatory reform effort will be to deemphasize so-called categorical (constrained) aid programs while, at the same time, enhancing block grant (unconstrained) programs; and

WHEREAS, the Board of Directors of the National League of Cities has adopted a policy statement regarding President Reagan's economic recovery program and, as a part of that statement, has indicated its strong support for fundamental reform and relief from the burdens of federal regulatory activities and a modification of those activities to eliminate unnecessary regulations affecting local governments and a development of a comprehensive federal policy on mandated costs on local governments.

NOW, THEREFORE BE IT RESOLVED the City Council of the City of Modesto resolves as follows:

Section 1. That the City Council lauds the expressed goal of the administration to return to local governments many of the powers that have gradually been eroded away over the past decade as a part of extensive federal funding activities.

Section 2. That, in implementing these expressed goals, the City Council urges the administration and Congress to exercise diligence in assuring that the legitimate and acceptable relationships between the federal, state and local governments be observed. In this regard, the City urges a rejection of any system that would require the passing or funnelling of federal funds for essentially local purposes through state government.

Section 3. That while it may be perfectly appropriate for certain funds to

be paid directly to the state (e.g., those relating to state supported health or welfare or educational activities), state administration of federal funds for city programs might, in the end, result in even worse administrative bottlenecks and counter productive regulatory constraints than exist today. Thus, federal funds for city programs should pass directly to cities and should not be funnelled or passed through the state.

Section 4. That as federal policies are adopted and implemented to stimulate healthy economic growth and improve productivity, reduce inflation through tax and spending reductions, restrain the growth of federal spending and reduce the burden on the public and private sector, the City should once again emerge as that unit of general purpose government closest to the people and most capable of defining and implementing goals and objectives that truly reflect the concerns and beliefs of those people in a way that can restore a popular confidence in the ability of government to be responsive to the people who support it.

Section 5. That the City Clerk is hereby directed to forward copies of this resolution to President Ronald Reagan, Vice President George Bush, United States Senators Alan Cranston and S.I. Hayakawa, and Congressmen Glenn Anderson and Dan Lundgren, Robert Carlson of the White House Staff and such other persons as may be appropriate.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle

NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-363

RE-
A RESOLUTION/APPOINTING MEMBERS OF THE FARM-CITY ADVISORY COMMITTEE, JOHN DEBOER AND CLAIRE GONSALVES, AND APPOINTING NEW MEMBERS RICHARD NIMPHIUS, MIKE BURNS, AND SUSAN MONTGOMERY

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following persons are hereby appointed to the Farm-City Advisory Committee for the respective term as indicated:

John DeBoer, reappointed, term to expire May 1, 1985
Claire Gonsalves, reappointed, term to expire May 1, 1985
Richard Nimphius, appointed, term to expire May 1, 1985
Mike Burns, appointed, term to expire May 1, 1984
Susan Montgomery, appointed, term to expire May 1, 1983

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed members of the Farm-City Advisory Committee and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-364

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (301).

WHEREAS, a verified application for an amendment to Section 9-3-9 of the Zoning Map was filed by Dean Russell, Stanley W. Smith, and Edmund J. Smith on February 9, 1981, to reclassify from Medium Density Residential Zone, R-2 to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in the Southeast Quarter of the Southeast Quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Beginning at the Northwest corner of Hacienda Estates as shown on the official map thereof filed for record in Book 29 of Maps, at page 41, Stanislaus County Records; thence South 89° 37' 17" East along the north line of said Hacienda Estates and the easterly extension thereof, a distance of 298.00 feet to a point on the centerline of Coffee Road; thence along said centerline South 0° 50' 30" East 292.38 feet; thence North 89° 37' 17" West along the southerly line of said Hacienda Estates and the easterly extension thereof, a distance of 298.13 feet; thence North 0° 48' 57" West along the westerly line of said Hacienda Estates, a distance of 292.38 feet to the point of beginning.

WHEREAS, after public hearing held on April 6, 19 81, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D zoning will allow the same physical development allowed in the existing R-2 Zone except that owner occupancy rather than rental apartments only will be allowed.

2. The site design and the conditions of approval assure a compatible development with existing and potential surrounding properties.

WHEREAS, after a public hearing held on May 12, 19 81, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Dean Russell, Stanley W. Smith, and Edmund J. Smith for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2036-C.S. on the 12th day of May, 19 81, reclassifying the above-described property from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D (301).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(301) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan titled "New Condominium Development for Hacienda Estates" as amended in red, stamped approved by the Planning Commission on April 6, 1981.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code. Screen landscaping shall be installed along the west boundary of the parking lot.

3. Fencing shall be constructed prior to occupancy and shall be as follows:

   a. Minimum 4'2" fences in front yard entryways

   b. Seven foot solid wall or fence on the north, south, and west boundary lines and all private patio separations

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. All private streets and parking areas shall be constructed in accordance with the standard structural section for residential streets as contained in the City of Modesto Standard Specifications.

6. Prior to issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the Director of Public Works.

7. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

8. Trash cans shall be screened from view from any public street in accordance with the approved plot plan.

9. All utilities shall be underground and cable television service shall be stubbed into all units.

10. All signs shall comply with the sign requirements of the R-2 Zone.

11. Prior to the issuance of a building permit for any structure, a subdivision map shall be recorded.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (301):

The entire construction program shall be accomplished in one phase, construction to begin on or before June 1, 1982, and completion to be not later than June 1, 1984.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (301) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Michael C. Herrera
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-365

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 9-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (RUSSELL, SMITH AND SMITH)

WHEREAS, on May 12, 1981, the City Council introduced Ordinance No. 2036 - C. S. giving approval to a project relating to an amendment to Section 9-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(301), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 9-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(301).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-366

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 12-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (BRIGHT DEVELOPMENT)

WHEREAS, on May 12, 1981, the City Council introduced Ordinance No. 2037 - C. S. giving approval to a project relating to an amendment to Section Map 12-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(192) to Low Density Residential Zone, R-1, , and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 12-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(192) to Low Density Residential Zone, R-1 .

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: Elliott, Patterson

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-367

A RESOLUTION DETERMINING THAT REZONING OF PLANNED DEVELOPMENT ZONE, P-D(192), TO R-1 IS NECESSARY AND DENYING THE APPEAL BY BRIGHT DEVELOPMENT FROM A DECISION BY THE PLANNING COMMISSION DENYING AN APPLICATION FOR AN AMENDMENT TO PLANNED DEVELOPMENT ZONE, P-D(192). (BRIGHT DEVELOPMENT)

WHEREAS, Planned Development Zone, P-D(192) was approved by Ordinance No. 1738-C.S. which was introduced on June 12, 1978, finally adopted on June 19, 1978, and became effective on July 19, 1978, and

WHEREAS, Modesto City Council Resolution No. 78-608 adopted on June 12, 1978, approved a development plan for Planned Development Zone, P-D(192), calling for start of construction on or before July 1, 1980, and

WHEREAS, construction was not begun in P-D(192) before July 1, 1980, and

WHEREAS, Section 10-2.2709(c) of the Modesto Municipal Code requires the Planning Commission to initiate a public hearing to review and either modify or repeal a P-D Zone where the construction timing has expired, and

WHEREAS, on March 12, 1981, a verified application for an amendment to Planned Development Zone, P-D(192) was filed by Bright Development with a revised plot plan and development schedule, and

WHEREAS, in accordance with Section 10-2.2709(c) of the Modesto Municipal Code, on March 16, 1981, the Planning Commission initiated a public hearing to review and either modify or repeal P-D(192), and

WHEREAS, a public hearing was held by the Planning Commission on April 6, 1981, on both the application by Bright Development to amend P-D(192) with a revised plot plan and development schedule and the Planning Commission initiated hearing, which hearing was held in the City Council Chambers, City Hall, 801-11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, after said public hearing held on April 6, 1981, it was found and determined by the Planning Commission that an amendment to Planned Development Zone, P-D(192), as requested by Bright Development, is not required by public necessity, convenience and general welfare for the following reason:

> The proposal exceeds the R-2 density maximum indicated for the property on the McKinney Colony Neighborhood Zoning and Development Plan,

and

WHEREAS, by Resolution No. 81-90, adopted on April 6, 1981, the Planning Commission denied the requested amendment to Planned Development Zone, P-D(192), and recommended to the Council, based on the procedures established in Section 10-2.2709(c) of the Modesto Municipal Code, that Section 12-3-8 of the Zoning Map be amended to reclassify the hereinafter described property from Planned Development Zone, P-D(192) to Low Density Residential Zone, R-1, and

WHEREAS, by a letter dated April 9, 1981, Bright Development appealed the Planning Commission's denial of Bright Development's application for an amendment to Planned Development Zone, P-D(192), and

WHEREAS, said matter was set for public hearing before the Council of the City of Modesto in the Council Chambers located in the City Hall, 801-11th Street, Modesto, California, at 7:30 o'clock p.m., on May 12, 1981, at which hearing the Council considered the recommendation of the Planning Commission that Planned Development Zone, P-D(192) be rezoned to Low Density Residential Zone, R-1, and the appeal by Bright Development from the Planning Commission's denial of the application for an amendment to Planned Development Zone, P-D(192) with a revised plot plan and development schedule,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that after a public hearing held on May 12, 1981, in the City Council Chambers, City Hall, 801-11th Street, Modesto, California, this Council finds and determines as follows:

(a) That the rezoning, as recommended by the Planning Commission, is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource for the following reason:

> If the owner or owners of property in a P-D zone have failed to meet the approved development schedule contained in the resolution approving the development plan for said P-D zone, said property shall be rezoned to the zone classification which it held immediately prior to being zoned P-D.

(b) That an amendment to Planned Development Zone, P-D(192), as requested by Bright Development, is not required by public necessity, convenience and general welfare for the following reason:

> The proposal exceeds the R-2 density maximum indicated for the property on the McKinney Colony Neighborhood Zoning and Development Plan.

BE IT FURTHER RESOLVED that the appeal by Bright Development from the decision of the Planning Commission denying the application for an amendment to Planned Development Zone, P-D(192), as requested by Bright Development, is hereby denied and the decision of the Planning Commission denying said application is hereby sustained for the reason set forth above.

BE IT FURTHER RESOLVED that this Council hereby waives the one year limitation set forth in Section 10-2.2103 of the Modesto Municipal Code in order that Bright Development can submit a new application to the Planning Commission for rezoning of the property described below and located between Veneman Avenue and Standiford Avenue, West of Hahn Drive, East of Dale Road, in the City of Modesto:

> Parcel D as shown and as designated on that certain Parcel Map filed December 20, 1976, in Volume 24 of Parcel Maps, at page 12, being a portion of Lot 4 of McKinney Colony, as per map filed November 21, 1903, in Volume 1 of Maps, at page 57.
>
> Including the southerly 30 feet of Veneman Avenue and the northerly 50 feet of the Modesto Irrigation District Lateral No. 7 immediately adjacent to said Parcel D.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: Elliott, Patterson

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-368

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 25-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (Lester and Corliss Maxfield)

WHEREAS, on May 12, 19 81, the City Council introduced Ordinance No. 2038 - C. S. giving approval to a project relating toan amendment to Section Map 25-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from a portion of Planned Development Zone, P-D(255) to Low Density Residential Zone, R-1, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 25-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from a portion of Planned Development Zone, P-D(255) to Low Density Residential Zone, R-1.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 369

A RESOLUTION REVISING CONDITION NO. 4 OF SECTION 1 OF RESOLUTION NO. 80-129 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PREZONED PLANNED DEVELOPMENT ZONE, P-PD(255). (JOAQUIN CONSTRUCTION)" (LESTER AND CORLISS MAXFIELD)

WHEREAS, the City Council, by Ordinance No. 1919-C. S. which was introduced on February 12, 1980, amended Section 25-3-8 of the Zoning Map to prezone to Planned Development Zone, PD(255), to allow a 79 unit small lot patio home subdivision plus two existing residences on larger lots, property located on the west side of Carpenter Road north of Torrid Avenue, and

WHEREAS, City Council Resolution No. 80-129 was adopted on February 12, 1980, and approved the development plan for P-D(255) and contained the conditions of approval thereof, and

WHEREAS, a verified application for an amendment to P-D(255) to allow lowering from 8 foot to 7 foot all patio walls and fences in the development except for the north and east boundaries of the P-D(255) zone located on the east side of Shasta Avenue south of Woodland Avenue was filed by Lester and Corliss Maxfield on February 18, 1981, and

WHEREAS, after a public hearing held on April 6, 1981, it was found and determined by the Planning Commission that a revision to Condition No. 4 of Section 1 of Modesto City Council Resolution No. 80-129 entitled "A Resolution Approving A Development Plan for Prezoned Planned Development Zone, P-PD(255). (Joaquin Construction)" is required by public necessity, convenience and general welfare for the following reason:

1. The lowering of patio walls from 8 foot to 7 foot conforms to the current standards being applied to such patio home developments,

and

WHEREAS, after a public hearing held on May 12, 1981, the Council found and determined that the application of Lester and Corliss Maxfield for a revision to Condition No. 4 of Section 1 of Modesto City Council Resolution No. 80-129, referred to above should be granted as consonant with public necessity, convenience and general welfare for the reason set forth above, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Condition No. 4 of Section 1 of Modesto City Council Resolution No. 80-129, entitled "A Resolution Approving A Development Plan for Prezoned Planned Development Zone, P-PD(255). (Joaquin Construction)," be revised to read as follows:

"4. Prior to occupancy of the premises, a solid 8-foot high fence with decorative masonry pilaster 16-foot on centers shall be constructed along the north and east boundaries of the P-D(255) zone as well as around the existing dwelling on the southeast portion of the site. A 6-foot high pilaster fence shall be constructed on the west side of Corliss Place. 7-foot high masonry or stucco walls shall be constructed along all sides and rears of the individual lots and along the remainder of the south boundary of P-D(255) adjoining the Shasta Estates No. 3 subdivision."

BE IT FURTHER RESOLVED by the Council of the City of Modesto that all of the other provisions of Modesto City Council Resolution No. 80-129 adopted by the Council on February 12, 1980, shall remain in full force and effect.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-370

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE INSTALLATION OF PLAY APPARATUS AT SONOMA PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the installation of play apparatus at Sonoma Park

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 2, 1980, at 11:00 a.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-371

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ANNUAL REQUIREMENTS OF TRAFFIC LINE PAINT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing annual requirements of traffic line paint

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 9, 1981, at 2:00 p.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-372

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ANNUAL REQUIREMENTS OF LIQUID CHLORINE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing annual requirements of liquid chlorine

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 9, 1981, at 2:15 p.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-373

A RESOLUTION ACCEPTING THE BID OF MAC'S BACKHOE SERVICE FOR THE RECONSTRUCTION OF SEWER ON DUNCAN AVENUE, CHABOT AVENUE AND MUIR ROAD

WHEREAS, Resolution No.81-281, adopted by the Council of the City of Modesto on April 14, 1981 , approved the plans and specifications for the reconstruction of sewer on Duncan Avenue, Chabot Avenue and Muir Road and authorized the calling for bids; and

WHEREAS, the bids received for the reconstruction of sewer on Duncan Avenue, Chabot Avenue and Muir Road were opened at 11:10 a.m. on May 5, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Mac's Backhoe Service in the amount of $63,633.90 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Mac's Backhoe Service in the amount of $63,633.90 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May , 1981 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Muratore, Patterson, Siefkin, Vice Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-374

A RESOLUTION ACCEPTING THE BID OF GEORGE REED INC. FOR RECONSTRUCTION OF COLLEGE AVENUE FROM BRIGGSMORE AVENUE TO DAVIS PARK

WHEREAS, Resolution No.81-283, adopted by the Council of the City of Modesto on April 14, 1981 , approved the plans and specifications for the reconstruction of College Avenue from Briggsmore Avenue to Davis Park and authorized the calling for bids; and

WHEREAS, the bids received for the reconstruction of College Avenue from Briggsmore Avenue to Davis Park were opened at 11:00 a.m. on May 5, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of George Reed Inc. in the amount of $125,475 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of George Reed Inc. in the amount of $125,475 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May , 19 81, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-375

A RESOLUTION ACCEPTING THE CONSTRUCTION OF STREET LIGHT MODERNIZATION - OLD TOWN MODESTO AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** street light modernization - Old Town Modesto **has been completed by** Ferrero Electric

in accordance with the contract agreement dated July 15, 1980.

NOW, THEREFORE, BE IT RESOLVED that the construction of street light modernization - Old Town Modesto **be accepted from said contractor,** Ferrero Electric;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $147,318 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th **day of** May, 19 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-376

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY GO ENTERPRISES TO A DECISION BY THE BOARD OF ZONING ADJUSTMENT CONCERNING A VARIANCE FROM MODESTO MUNICIPAL CODE SECTION 10-2.806 AS IT APPLIES TO A SHOPPING CENTER AT 950 OAKDALE ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 9, 1981 , at 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Go Enterprises to a decision by the Board of Zoning Adjustment concerning a variance from Modesto Municipal Code Section 10-2.806 as it applies to a shopping center at 950 Oakdale Road.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th **day of** May, 19 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-377

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY RACOR DEVELOPMENT TO A DECISION OF THE PLANNING COMMISSION CONCERNING REZONING THE NORTHEAST CORNER OF NEEDHAM AND SYCAMORE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 9, 1981 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Racor Development to a decision of the Planning Commission concerning rezoning the northeast corner of Needham and Sycamore.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th **day of** May **, 19**81**, by Councilmember** Siefkin **, who moved its adoption, which motion being duly seconded by Councilmember** Muratore **, was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-378

A RESOLUTION SETTING TIME AND PLACE FOR HEARING TO CONSIDER AMENDMENTS TO THE CONFLICT OF INTEREST CODES OF THE CITY ATTORNEY'S OFFICE, CITY MANAGER'S OFFICE, FINANCE DEPARTMENT, FIRE DEPARTMENT, PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT, POLICE DEPARTMENT, AND PUBLIC WORKS DEPARTMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 2, 1981 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** amendments to the Conflict of Interest Codes of the City Attorney's Office, City Manager's Office, Finance Department, Fire Department, Planning and Community Development Department, Police Department, and Public Works Department.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th **day of** May, 19 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-379

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CALTRANS TO INSTALL LEFT-TURN SIGNALS AT MCHENRY AND BRIGGSMORE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Caltrans, for State to acquire right of way, widen McHenry, improve street lighting, and modify the traffic signals

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th **day of** May, **19** 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-380

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $94,235 FOR INSTALLATION OF LEFT-TURN SIGNALS AT MCHENRY AND BRIGGSMORE

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Emerald/Kansas to Maze project, P/W (6296.00)	$94,235
TO:	McHenry & Briggsmore Traffic Signals, P/W (6146.00)	$94,235

Because of inflation, the scope of this project has increased as design work has progressed and the account is now badly underfunded. These funds are needed to complete this project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th **day of** May, 19 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-381

Rescinded by 82-410

A RESOLUTION GRANTING APPROVAL TO THE MODESTO CERTIFIED FARMERS' MARKET TO CONDUCT A FARMERS' MARKET ON 16TH STREET, BETWEEN H AND I STREETS, IN THE CITY OF MODESTO, SUBJECT TO CERTAIN CONDITIONS AND RESCINDING RESOLUTION NO. 80-781.

WHEREAS, the Modesto Certified Farmers' Market, an unincorporated association, (hereinafter referred to as "Market"), requested permission to use the street area known as 16th Street, between H and I Streets, in the City of Modesto to conduct a farmers' market to sell fruits, nuts and vegetables to the general public, and

WHEREAS, the City Council has previously granted approval for such a market, and

WHEREAS, the Modesto Certified Farmers' Market has requested revisions to the approval previously given for such a market, and

WHEREAS, the Council deems it appropriate to revise the approval previously given for such a market,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby approve the use by the Modesto Certified Farmers' Market of 16th Street between H and I Streets, in the City of Modesto, for a farmers' market, subject to the following conditions:

1. The Market may use the street area known as 16th Street, between H and I Streets, in the City of Modesto, each Saturday until this resolution is rescinded, as hereinafter provided, between the hours of 6:00 o'clock a.m. and 2:00 o'clock p.m., to conduct a farmers' market to sell farm products to the general public. The produce to be sold at said farmers' market shall be sold only between the hours of 6:00 o'clock a.m. and 1:00 o'clock p.m. each Saturday morning, with the hours between 1:00 o'clock p.m. and 2:00 o'clock p.m. each Saturday afternoon to be used for the purpose of dismantling produce stands,

cleaning the area, etc.

2. The Market may use the street area known as 16th Street, between H and I Streets in the City of Modesto, each Monday and Thursday morning between July 1 and September 30 of each year, between the hours of 6:00 o'clock a.m. and 11:30 o'clock a.m., to conduct a farmers' market to sell farm products to the general public. The produce to be sold at said farmers' market shall be sold only between the hours of 6:00 o'clock a.m. and 11:00 o'clock a.m. each Monday and Thursday morning, with the period between 11:00 o'clock a.m. and 11:30 o'clock a.m. each Monday and Thursday morning to be used for the purpose of dismantling produce stands, cleaning the area, etc.

3. The street area known as 16th Street, between H and I Streets may be closed to all traffic except emergency vehicles each Saturday morning between 6:00 o'clock a.m. and 2:00 o'clock p.m. subject to the approval of the Chief of Police of the City of Modesto. The Market shall furnish its own street barricades for the closing of the area referred to herein.

4. From July 1 to September 30 of each year the street area known as 16th Street between H and I Streets may be closed to all traffic except emergency vehicles each Monday and Thursday morning between 6:00 o'clock a.m. and 11:30 o'clock a.m., subject to the approval of the Chief of Police of the City of Modesto. The Market shall furnish its own street barricades for the closing of the area referred to herein.

5. The Market shall obtain a Certified Farmers' Market Certificate in accordance with the provisions of Section 1392.2(a) of the Food and Agriculture Code of the State of California.

6. Only certified producers and others selling farm produce actually grown and produced by the seller, as determined by the Agricultural Commissioner and the officers of the Modesto Certified Farmers' Market, may sell products at said farmers' market provided for herein.

7. The Market shall obtain a business license as the sponsor of the market in accordance with the provisions of Article 1 of Chapter 1 of Title VI of the Modesto Municipal Code. The Market shall be exempt from the payment of a business license tax as provided for in Section 6-1.106 of said Municipal Code.

8. The Market shall remove all trash and debris, which is generated as a result of the farmers' market, from 16th Street, between H and I Streets, in the City of Modesto, and the areas adjacent thereto. The removal of said trash and debris shall be completed by 2:00 o'clock p.m. each Saturday and by 11:30 o'clock a.m. each Monday and Thursday on the days said farmers' market is conducted.

9. The Market shall indemnify, defend and hold the City of Modesto, its officers, agents and employees, free and harmless from any and all liabilities, claims, demands, actions, losses, damages, or costs, including costs of defense thereof, caused by, arising out of or in any way related to the Market's use, for a farmers' market, of the area known as 16th Street, between H and I Streets, in the City of Modesto, and the areas adjacent thereto. Upon demand the Market shall, at its own expense, defend the City of Modesto, its officers, agents, and employees, against all such liabilities, claims, demands, actions, losses, damages or costs.

10. The Market shall furnish to the City Clerk a current and valid certificate of insurance evidencing public liability and property damage insurance as shall protect the Market and its agents and employees from claims for damages for bodily injury and property damage which may arise out of the Market's use for a farmers' market, of the area known as 16th Street between H and I Streets, in the City of Modesto, and the areas adjacent thereto.

The amount of public liability insurance shall be as follows: Public liability insurance with combined single limits of liability, including products liability coverage, in the amount of Three Hundred Thousand and no/100ths ($300,000.00) Dollars.

The Market's liability policy, and the valid certificate of insurance

which is to be furnished to the City Clerk shall contain contractual liability provisions stating that the policy is extended to cover the liability assumed by the Market under the terms of this resolution, and the liability policy, and the certificate of insurance to be furnished to City, shall not permit cancellation of said insurance unless ten (10) days' prior written notice is furnished to the City Clerk.

11. One portable identification sign not to exceed 25 square feet in area nor 6 feet in height may be placed by the Market at each entrance to the farmers' market during actual market operation only, if permitted by the provisions of Article 35 of Chapter 2 of Title X of the Modesto Municipal Code.

12. Markings may be placed by the Market on the pavement and/or curbs of 16th Street, between H and I Streets, for the purpose of identifying selling areas. Such markings shall be located and installed in accordance with a marking plan prepared by the Market and approved by the City's Director of Parking and Traffic. Such markings shall be unobtrusive and shall in no way obscure or interfere with curb and/or pavement markings placed by the City of Modesto.

BE IT FURTHER RESOLVED that this resolution shall remain in full force and effect until such time as it is rescinded by the City Council.

BE IT FURTHER RESOLVED that the City Clerk shall furnish the Modesto Certified Farmers' Market with a copy of this resolution. The Market shall file a written acceptance of this resolution and the conditions set forth herein with the City Clerk, and no right shall be conferred hereby until said acceptance is filed.

BE IT FURTHER RESOLVED that Resolution No. 80-781 adopted on August 5, 1980, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 382

A RESOLUTION ESTABLISHING PASSENGER FARES FOR BUS SERVICE ON MODESTO INTRACITY TRANSIT.

BE IT RESOLVED by the Council of the City of Modesto that the following fares are hereby established for passengers riding on the fixed route buses of the Modesto Intracity Transit:

A. Cash Fares

1. Regular	$ .35
2. Students	$ .20
3. Handicapped and Senior Citizens	$ .15

B. Passes and Tickets

1. Regular Monthly Passes - full month	$10.50
After the 7th of the month	7.70
After the 14th of the month	4.90
After the 21st of the month	2.10
2. Student Monthly Passes - full month	$ 8.40
After the 7th of the month	6.30
After the 14th of the month	4.20
After the 21st of the month	2.10
3. Senior Citizen and Handicapped Monthly Passes - full month	$ 5.25
After the 7th of the month	3.85
After the 14th of the month	2.45
After the 21st of the month	1.05
4. Adult Pass	$ 3.50 for 11 rides
5. Daily Pass	$ .70
6. Senior Citizen and Handicapped Daily Pass	$ .35
7. Commuter Tickets (Commuter tickets are valid only between the hours of 6 AM and 10 AM and from 4 PM to 7 PM every day except Sunday)	$15.00 for 50 rides
8. Welfare Tickets	$17.50 for 50 rides

BE IT FURTHER RESOLVED that Modesto City Council Resolution No. 80-638 is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 383

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan for the City of Modesto was adopted by Modesto City Council Resolution No. 67-66 pursuant to Rule 2 of the Personnel Rules and Regulations of the City of Modesto, and

WHEREAS, the City Manager has recommended to the Council amendments to the Position Classification Plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that revisions to the classification plan shall be effective upon adoption of resolution of the City Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. CLASSIFICATIONS ABOLISHED. The Position Classification Plan of the City of Modesto is hereby amended to abolish the following classifications:

Risk Management Assistant I

Risk Management Assistant II

SECTION 2. CLASSIFICATIONS CREATED. The Position Classification Plan of the City of Modesto is further amended to create new classifications as follows:

Assistant Risk Manager

Risk Management Technician

The specifications for the classifications created, as shown on the attached Exhibits "A" and "B", which are hereby made a part of this resolution by reference, are hereby approved and made a part of the Position Classification Plan.

SECTION 3. CLASSIFICATION AMENDED. The Position Classification Plan of the City of Modesto is further amended to amend the specifications for the following classificatio as shown on Exhibit "C", attached hereto and hereby approved and made a part of the Position Classification Plan of the City of Modesto:

Risk Manager

SECTION 4. EFFECTIVE DATE. This resolution shall go into effect and be in full force and operation on and after June 16, 1981.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

ASSISTANT RISK MANAGER

DEFINITION

Under direction, to plan, organize and supervise the work of a major division of Risk Management - including but not limited to property and casualty insurance, Workers' Compensation, Employee Safety, and Public Loss Prevention programs; to develop factual information and present recommendations to the Risk Manager; to act in the absence of the Risk Manager; and to perform related work as required.

EXAMPLES OF DUTIES

Supervises, plans, organizes, and directs several Risk Management programs; acts in the absence of the Risk Manager; conducts Employee Safety inspections and Public Loss Prevention surveys, and prepares recommendations for corrective action; prepares and distributes safety material and aides; implements and conducts safety training for City employees; surveys and developes adequate and appropriate insurance protection covering all City-owned Real and Personal Properties, Public Liability, Workers' Compensation, and Employee Bonds; administers Public Liability Self-insured Program; investigates and adjusts claims; administers Workers' Compensation Self-insured Program and closely monitors claims' administrators activities; maintains accurate statistical records and provides quarterly and annual reports for distribution of injury/accident experience within the City departments/divisions; maintains complete and confidential records and files; conducts special surveys, gathers and analyzes the information, and prepares recommendations to the Risk Manager.

SPECIAL REQUIREMENTS

Incumbents will be required to file a Statement of Economic Interests.

Possession of an appropriate vehicle operator's license issued by the California Department of Motor Vehicles within one month after appointment.

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

- Principles of organization, administration and management;
- Workers' Compensation, general liability, and it's applicable laws;
- Property insurance;
- Bonds;
- General Safety Orders (Cal-Osha);
- Safety engineering principles, procedures and techniques;
- Statistical methods and graphic presentations;
- Completed staff work in oral and written presentations;
- Principles of supervision and training.

and

Ability to:

Supervise, plan, organize, and direct programs in Risk Management;
Assume responsibility for and provide supervision to Workers' Compensation Public Liability, Property, Employee Safety, and Public Loss Prevention functions;
Effectively communicate with officials, employers, and with the public, in group meetings and in discussions;
Prepare completed staff work for oral and written reports;
Interpret rules, laws, policies, and apply them with good judgment;
Schedule time and work under pressure;
Adapt with flexibility to change;
Perform job duties in a manner assuring a safety working environment for oneself and others;
Work with and control sensitive, confidential information on assignment;
Establish and maintain cooperative working relationships with other agency officials, attorneys, departmental representatives, employees, and the public.

and

Experience:

Three (3) years of experience equivalent to Risk Management Technician in the management and operation of Risk Management programs including: Workers' Compensation, Public Liability, Property Insurance, Employee Safety, and Public Loss Prevention; insurance claims investigation and adjusting.

RISK MANAGEMENT TECHNICIAN

DEFINITION

Under general supervision, to perform technical work in the areas of risk management, including but not confined to, Workers' Compensation administration, Public Liability claims, Safety and Loss Prevention, and other related work as required.

DISTINGUISHING CHARACTERISTICS

This is the first level of technical risk management work. The work assigned is primarily in the areas of Workers' Compensation, employee safety, Public Liability and property/casualty insurance. At first, those appointed work under close supervision. As experience and proficiency increase, duties are performed with a minimum of supervision.

EXAMPLES OF DUTIES

Performs technical assignments in the City's self-insured insurance programs; conducts special surveys and projects; gathers and analyzes information for risk management, prepares various studies; answers questions and maintains liaison with employees and the public in Workers' Compensation and/or liability claims; prepares necessary forms and routine reports; acts as liaison with the City's Workers' Compensation and/or medical insurance administrators; gives information to City personnel regarding rules, regulations and procedures, including Workers' Compensation, Public Liability, and Safety and Loss Prevention recommendations.

SPECIAL REQUIREMENTS

License: Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

Probation: All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

Principles of insurance and claims handling in a public setting;
Principles of safety and loss prevention;
Arithmetic, basic accounting;
English usage, spelling, grammar, and punctuation.
Basic statistical methods;
Modern office practices and procedures, especially as they relate to record maintenance and document processing;

and

Ability to:

Meet and communicate with the public;
Interpret rules, laws and policies and apply them with good judgment;
Perform technical work especially in the area of risk management, involving Workers' Compensation, liability insurance, including safety and loss prevention;
Compile and analyze information regarding existing procedures;
Express ideas clearly and concisely in oral and written communications;
Initiate correspondence and telephone communications concerning routine decisions;
Schedule time and work under pressure;
Adapt with flexibility to change;
Perform job duties in a manner assuring a safety working environment for oneself and others;
Work with and control sensitive confidential information on assignment;
Establish and maintain effective working relationships with the general public, co-workers, supervisors, and members of diverse cultural and linquistic backgrounds, regardless of race, creed, color, religion, sex, age or handicap.

and

Experience:

Two (2) years of experience in risk management, Workers' Compensation or in an insurance claims/loss control office.

Two or more years completed at an accredited college or university sixty (60) semester or ninety (90) quarter units may be substituted for one year of the required experience provided that there were courses in industrial or safety engineering, insurance, loss control administration, industrial psychology or other closely related fields.

RISK MANAGER

DEFINITION

Under general direction, to plan, coordinate, and administer the City's programs in Risk Management - including but not limited to Property and Casualty Insurance, Worker's Compensation, Employee safety, and Public loss prevention programs; to develop factual information and present recommendations to the Director of Management Services; and to perform related work as required.

EXAMPLES OF DUTIES

Supervises, plans, trains, organizes, and directs Risk Management staff; conducts employee safety inspection and the public loss prevention surveys, and prepares recommendations for corrective action; prepares and distributes safety material and aides; implements and conducts safety training for City employees; surveys and develops adequate and appropriate insurance protection covering all City-owned real and personal properties, Public Liability, Worker's Compensation, and Employee Bonds; administers Public Liability self-insured program; testifies before Small Claims Court; directs recovery of loss to City persons/property; investigates and adjusts claims; administers Worker's Compensation Self-insured program and closely monitors claims' administrators activities; maintains accurate statistical records and provides quarterly and annual reports for distribution of injury/accident experience within the City departments/ divisions; maintains complete and confidential records and files; conducts special surveys, gathers and analyzes the information, and prepares recommendations to the Director of Management Services.

SPECIAL REQUIREMENTS

Incumbents will be required to file a Statement of Economic Interests.

Possession of an appropriate vehicle operator's license issued by the California Department of Motor Vehicles within one month after appointment.

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

Principles of organization, administration, and management;
Worker's Compensation, General Liability, and its applicable laws;
Property insurance;
Bonds;
General Industrial Safety Orders (Cal-Osha);
Safety engineering principles procedures and techniques;
Statistical methods and graphic presentations;
Completed staff work in oral and written presentations;
Principles of supervision and training.

and

Ability to:

Plan, organize, and direct City programs in Risk Management;
Assume responsibility for and provide supervision to Worker's Compensation, Public Liability, Property, Employee Safety, and Public Loss Prevention functions;
Effectively communicate with officials, employers, and with the public, in group meetings and in discussions;
Prepare completed staff work for oral and written reports;
Interpret rules, laws, policies, and apply them with good judgment;
Establish and maintain cooperative working relationships with other agency officials, attorneys, departmental representatives, employees, and the public.

and

Experience:

Four (4) years of experience equivalent to Risk Management Technician in the management and operation of Risk Management programs including: Worker's Compensation, Public Liability, Property Insurance, Employee Safety, Public Loss Prevention, insurance claims investigation and adjusting.

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 384

A RESOLUTION AMENDING EXHIBIT "F" OF RESOLUTION NO. 80-591 ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE."

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. AMENDMENT TO EXHIBIT "F" OF RESOLUTION NO. 80-591. Exhibit "F" entitled "City of Modesto Alphatetical Listing of Classifications in City Service 1980-81" attached to Resolution No. 80-591, is hereby amended as shown on the amended Exhibit "F" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1980-81" amended May 12, 1981, which is attached hereto and made a part hereof as though set forth in full herein. Said amended Exhibit "F" deletes the classifications of Risk Management Assistant I, Range 117.5, and Risk Management Assistant II, Range 120.5. Said amended Exhibit "F" adds the classifications of Assistant Risk Manager, Range 427.0, and Risk Management Technician, Range 417.5.

SECTION 2. EFFECTIVE DATE. This resolution shall go into effect and be in full force and operation on and after June 16, 1981.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM: Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CITY OF MODESTO
ALPHABETICAL LISTING OF CLASSIFICATIONS IN CITY SERVICE
1980-81
(Effective 7-1-80, amended 7-15-80, 8-5-80, 9-2-80, 2-17-81, 4-7-81, 5-12-81)

Range No.	Title of Classification
111.5	Account Clerk I
114.5	Account Clerk II
116.5	Account Clerk III
119.5	Account Clerk IV
426.0	Accountant
433.0	Accounting Administrator
426.0	Administrative Analyst
426.5	Administrative Assistant (Parking & Traffic)
429.0	Airport Manager
424.5	Airport Maintenance Supervisor
116.5	Animal Control Officer I
118.5	Animal Control Officer II
426.5	Arborist
122.0	Assistant Building Inspector
426.0	Assistant Chief Electrician
633.0	Assistant Chief of Police
434.0	Assistant City Attorney (Eff. until 4-6-81)
432.0	Assistant City Attorney I (Eff. 4-7-81)
434.0	Assistant City Attorney II (Eff. 4-7-81)
420.5	Assistant City Clerk
429.0	Assistant Civil Engineer
433.0	Assistant Director of Parks & Recreation
436.0	Assistant Director of Public Works
122.5	Assistant Electrician
426.0	Assistant Planner
428.0	Assistant Property Agent (Eff. 4-7-81)
426.0	Assistant Property Agent(MGT) (Eff. until 4-6-81)
122.0	Assistant Public Services Inspector (Eff. until 4-6-81)
427.0	Assistant Risk Manager (Eff. 6-16-81)
426.0	Assistant Shop Supervisor
122.0	Assistant Zoning Inspector
432.0	Associate Civil Engineer
429.0	Associate Planner

Range No.	Title of Classification
426.0	Budget Accountant
125.0	Building Inspector
424.5	Building Maintenance Supervisor (Eff. until 4-6-81)
426.5	Building Maintenance Supervisor (Eff. 4-7-81)
120.5	Building Maintenance Worker
122.5	Building Maintenance Leadworker
433.0	Chief Building Official
429.0	Chief Electrician
N/A	Chief of Police
426.5	Chief of Survey Party
N/A	City Attorney
N/A	City Clerk and Auditor
N/A	City Manager
117.5	Civil Engineering Technician I
120.5	Civil Engineering Technician II
123.5	Civil Engineering Technician III
126.5	Civil Engineering Technician IV
124.0	Coach Mechanic
120.5	Community Service Officer
119.5	Computer Operator
125.0	Construction Inspector
427.0	Cost Analyst (Eff. 4-7-81)
123.0	Crime Analyst
426.5	Data Processing Supervisor (Eff. until 4-6-81)
428.0	Data Processing Supervisor (Eff. 4-7-81)
427.0	Deputy City Attorney I
430.0	Deputy City Attorney II (Eff. until 4-6-81)
429.0	Deputy City Attorney II (Eff. 4-7-81)
312.0	Detective
N/A	Director of Finance
N/A	Director of Management Services
N/A	Director of Parking and Traffic
N/A	Director of Parks and Recreation
N/A	Director of Planning and Community Development
N/A	Director of Public Works and City Engineer

Exhibit "F"

wpc 5/5/81

Range No.	Title of Classification
120.5	Electrical Technician
118.5	Electrical Trainee
124.5	Electrician
126.0	Engineering Computer Programmer
122.0	Equipment Mechanic
120.5	Equipment Operator
119.0	Equipment Service Worker
118.5	Evidence and Property Specialist
120.5	Financial Specialist
529.0	Fire Battalion Chief
N/A	Fire Chief
211.0	Fire Engineer
210.0	Fire Fighter
213.0	Fire Lieutenant
112.0	Fire Prevention Inspector Trainee (Eff. until 2-17-81)
120.5	Fire Prevention Technician
122.5	Heavy Equipment Operator
120.5	Housing Conservationist
432.0	Housing Program Officer
125.0	Industrial Waste Inspector
116.5	Janitor
123.0	Junior Accountant
126.0	Junior Civil Engineer
123.0	Junior Planner
114.5	Keypunch Operator
122.5	Laboratory Technician
113.5	Laborer (Unclassified) Effective October 7, 1980
116.5	Laborer (Unclassified) Effective Until October 6, 1980
426.0	Landscape Designer
125.0	Lead Coach Mechanic
123.0	Lead Equipment Mechanic
416.5	Legal Secretary I
418.5	Legal Secretary II
113.5	Maintenance Worker Trainee
116.5	Maintenance Worker
429.0	Management Assistant
429.0	Management Assistant(Risk Manager) (Eff. until 4-6-81)
122.5	Mechanic/Treatment Plant (Eff. 2-17-81)
424.5	Mechanical Maintenance Supervisor/ Treatment Plant (Eff. 2-17-81)
113.5	Microfilm and Graphics Technician I
115.5	Microfilm and Graphics Technician II
120.5	Motor Sweeper Operator
424.0	Museum Supervisor
122.5	Nursery Propagator
106.5	Office Aide I
109.5	Office Aide II
113.5	Office Services Clerk
122.5	Office Services Supervisor
122.5	Parking and Traffic Leadworker
120.5	Parking and Traffic Maintenance Worker
122.5	Parks Maintenance Leadworker
424.5	Parks Maintenance Supervisor I
426.5	Parks Maintenance Supervisor II
118.5	Parks Maintenance Worker I
120.5	Parks Maintenance Worker II
429.0	Parks Superintendent
413.5	Personnel Clerk (Eff. until 4-6-81)
432.0	Personnel Manager
420.5	Personnel Technician
126.0	Plan Review Engineer I
426.0	Plan Review Engineer I (MGT)
117.5	Planning Technician I
120.5	Planning Technician II
123.5	Planning Technician III
632.0	Police Captain
113.5	Police Clerk
630.0	Police Lieutenant
310.0	Police Officer
425.0	Police Records Supervisor

wpc 5/5/8

Range No.	Title of Classification
628.0	Police Sergeant
115.5	Printing Services Operator I
118.5	Printing Services Operator II
123.0	Programmer
426.0	Programmer Analyst
430.0	Property Agent
427.0	Public Services Officer
122.0	Public Services Inspector (Eff. 4-7-81)
106.5	Public Services Trainee
122.5	Public Works Leadworker
118.5	Public Works Maintenance Worker I
120.5	Public Works Maintenance Worker II
424.5	Public Works Supervisor I
426.5	Public Works Supervisor II
120.5	Pump Maintenance Worker
122.0	Purchasing Assistant I
124.0	Purchasing Assistant II
429.0	Purchasing Officer (Eff. until 4-6-81)
430.0	Purchasing Officer (Eff. 4-7-81)
117.5	Recreation Program Supervisor
429.0	Recreation Superintendent
426.0	Recreation Supervisor
125.0	Rehabilitation Specialist
430.0	Risk Manager (Eff. 4-7-81)
117.5	Risk Management Assistant I (Eff. until 6-15-81)
120.5	Risk Management Assistant II (Eff. until 6-15-81)
417.5	Risk Management Technician (Eff. 6-16-81)
116.5	Secretary I
416.5	Secretary I (Conf.)
418.5	Secretary II
420.5	Secretary to the City Attorney
421.5	Secretary to the City Manager
428.0	Senior Accountant (Eff. 4-7-81)
126.5	Senior Building Inspector
416.5	Senior Personnel Clerk
423.5	Senior Personnel Technician
432.0	Senior Planner
428.0	Senior Rehabilitation Specialist
429.0	Shop Supervisor
123.5	Social Services Coordinator
423.5	Social Services Coordinator (MGT)
114.5	Stenographer Clerk
118.5	Storeskeeper I
120.5	Storeskeeper II
120.5	Street Trees Maintenance Worker II
428.0	Supervising Building Inspector
113.5	Telephone Operator-Receptionist
429.0	Transit Manager
120.5	Tree Trimmer I
122.5	Tree Trimmer II
109.5	Typist Clerk I
409.5	Typist Clerk I (Conf.) (Eff. 4-7-81)
111.5	Typist Clerk II
411.5	Typist Clerk II (Conf.) (Eff. 4-7-81)
113.5	Typist Clerk III
424.5	Warehouse Supervisor
118.5	Wastewater Treatment Plant Attendant
122.5	Wastewater Treatment Plant Mechanic (Eff. until 2-17-81)
120.5	Wastewater Treatment Plant Operator I
122.5	Wastewater Treatment Plant Operator II
426.5	Wastewater Treatment Plant Supervisor
432.0	Water Quality Control Superintendent
125.0	Water System Inspector
118.5	Word Processing Supervisor
114.5	Word Processing Technician I
116.5	Word Processing Technician II
113.5	Word Processing Trainee
425.0	Zoning Inspector

Totals: 11 City Manager, Department Heads
175 Other

186

wpc 5/5/8

MODESTO CITY COUNCIL
RESOLUTION NO. 81-385

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $5,000 FROM CONTINGENCY RESERVE TO MCHENRY MANSION FURNITURE AND RESTORATION ACCOUNTS

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Contingency Reserve (61.04)	$5,000
TO:	McHenry Mansion Furnishings (6706.00)	$4,500
	McHenry Mansion Restoration (6276.00)	$ 500

These funds are necessary in order to cover the cost of an eight-piece parlor set. Also, due to the inflation rate, the amount estimated for the demolition of the garage area and interior or the Mansion was underestimated.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th **day of** May, 19 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-386

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE MODESTO BEE TO PRINT AND PUBLISH THE OFFICIAL LEGAL ADVERTISING FOR ONE YEAR BEGINNING JULY 1, 1981, AND ENDING JUNE 30, 1982

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and The Modesto Bee

for printing and publishing the official legal advertising for one year beginning July 1, 1981, and ending June 30, 1982

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th **day of** May, **19** 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-387

A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS PROPERTY.

WHEREAS, the City Manager is authorized by Charter Section 801 to sell surplus personal property of the City of Modesto with the approval of the City Council, and

WHEREAS, the City has several surplus items of personal property that could best be sold on a sealed bid basis, which items are as set forth on Exhibit "A" attached hereto, and by this reference made a part hereof as though set forth in full herein, and

WHEREAS, said property has become surplus to the City's needs by reason of replacement or obsolescence,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The City Manager is hereby authorized and directed to sell on a sealed bid basis to the highest bidder, those items of personal property set forth on Exhibit "A" referred to above, which are hereby found to be surplus.

SECTION 2. The sale shall be conducted by the City Manager or by such person as he may select for this purpose. If said items of property cannot be sold on a sealed bid basis as provided for above, they shall be disposed of in such manner as the City Manager deems to be in the best interest of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1981, by Councilmember

Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

City Property No.	Serial No.	Quantity	Description of Item, Including Brand
50301	11T24360	1	1962 #3010 John Deere Tractor
06941		1	T.V. Trailer with Equipment
07292		1	Motor Generator
70059	1156802	1	Westpoint Verifier
70046	46283	1	Howard Rotovator
10039		1	1969 Dodge Coronet Sedan
10041		1	1968 Ford Custom Sedan
10042		1	1968 Ford Custom Sedan
30183		1	1972 I.H.C. Pickup

Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 81-388

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 7-3-9 OF THE ZONING MAP (SANDERS CONSTRUCTION)

WHEREAS, the Modesto City Planning Commission held a public hearing on May 4, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 7-3-9 of the Zoning Map to rezone from R-1 to P-D(303) to allow a 204 unit one and two-story residential condominium, property located on the east side of Prescott Road extended, on both sides of Sheldon Drive the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-113 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 7-3-9 of the Zoning Map be set for June 9, 1981, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

R-1 to P-D

ALL that certain real property situated in the southwest quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, City of Modesto, County of Stanislaus, State of California, described as follows:

All that portion of Parcel 4 as shown on the Record of Survey map recorded in Volume 14 of Surveys, at Page 171, and all of Lot 1, Block 13313 as shown on the map of Applegate No. 5 as recorded in Volume 24 of Maps at Page 62, Stanislaus County Records, more particularly described as follows:

Commencing at the West quarter corner of said Section 7; thence South 0°02'50" East on the West line of Section 7, a distance of 992.63 feet to the northwest corner of said Parcel 4 and the POINT OF BEGINNING of this description; thence South 88°15'40" East on the North line of said Parcel 4 a distance of 1174.00 feet; thence South 0°00'49" East, 498.20 feet to the prolongation of the present centerline of 60 foot wide Sheldon Avenue; thence South 88°18'45" East on said centerline prolongation, 140.32 feet to the northerly prolongation of the easterly line of said Lot 1 of Applegate No. 5; thence South 0°00'17" East along said northerly prolongation 30.01 feet to the northeast corner of said Lot 1 of Applegate No. 5 and the present South line of 60 foot wide Sheldon Avenue; thence South 0°00'17" East on the East line of Lot 1, a distance of 105.94 feet to the southeast corner of said Lot 1, thence North 88°18'45" West on the South line of Lot 1, a distance of 428.84 feet to the southwest corner of said Lot 1 and a point on the easterly line of said Parcel 4; thence South 78°46'01" West on the easterly line of Parcel 4, a distance of 352.98 feet to the beginning of a curve concave to the southeast, having a radius of 70.55 feet and a central angle of 40°04'23"; thence southwesterly on the arc of said curve and the easterly line of said Parcel 4, a distance of 49.34 feet; thence continuing on said easterly line South 38°41'38" West, 315.65 feet to the southeast corner of said Parcel 4 and the most westerly corner of said Applegate No. 5 subdivision; thence North 88°23'20" West on the South line of said Parcel 4, a distance of 304.27 feet to the West line of said Section 7; thence North 0°02'50" West on the West line of said Section 7, a distance of 987.95 feet to the point of beginning.

Containing 21.55 gross acres more or less.

SCHEDULE "A"
SANDERS CONSTRUCTION - c/o
DESIGN CONCEPTS

MODESTO CITY COUNCIL
RESOLUTION NO. 81-389

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 8-4-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (WORLD INVESTMENTS NO. 4)

WHEREAS, on May 19, 19 81, the City Council introduced Ordinance No. 2039 - C. S. giving approval to a project relating to an amendment to Section Map 8-4-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 8-4-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn E. Johnson
ELWYN E. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-390

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR IMPROVEMENTS TO SYLVAN AVENUE BETWEEN MCHENRY AVENUE AND COFFEE ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for improvements to Sylvan Avenue between McHenry Avenue and Coffee Road

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 9, 1981, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-391

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE 3/4 TON PICKUP WITH CRANE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for purchasing one 3/4 ton pickup with crane

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 16, 1981, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-392

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE INSTALLATION OF WATER AUTOMATION INSTRUMENTATION AND CONTROL WORK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the installation of water automation instrumentation and control work

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 16, 1981, at 11:05 a.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-393

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINE EXTENSION IN SCENIC BENC AS COMPLETE

WHEREAS, a repcrt has been filed by the Director of Public Works that the construction of waterline extension in Scenic Bend has been ccmpleted by North West Construction

in accordance with the contract agreement dated March 17, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterline extension in Scenic Bend be accepted from said contractor, North West Construction;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $5,338.75 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-394

A RESOLUTION ACCEPTING THE CONSTRUCTION OF TWO-WAY BUS RADIO COMMUNICATION SYSTEM AS COMPLETE AND ASSESSING PENALTIES OF $5,840

WHEREAS, a report has been filed by the Director of Parking and Traffic **that the construction of** a two-way bus radio communication system **has been completed by** General Electric in accordance with the contract agreement dated October 9, 1979, subject to penalties of $5,840.00 because of delays in completing the contract.

NOW, THEREFORE, BE IT RESOLVED that the construction of a two-way bus radio communication system **be accepted from said contractor,** General Electric;

that notice of completion be filed with the Recorder of Stanislaus County; that penalties of $5,840.00 be assessed; and that payment of $27,237.96 be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th **day of** May, **19** 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-395

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND SMF CORPORATION PROVIDING THE ELEVENTH STREET PARKING GARAGE BE ACCEPTED AS COMPLETE EXCEPT FOR THE COMPLETION OF THE ELEVATOR, AND ADJUSTING THE PAYMENT SCHEDULE ACCORDINGLY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and SMF Corporation

for completion of the Eleventh Street parking garage elevator

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th **day of** May, **19**81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-396

A RESOLUTION PARTIALLY ACCEPTING THE CONSTRUCTION OF THE ELEVENTH STREET PARKING GARAGE AS COMPLETE

WHEREAS, a report has been filed by the Director of Parking and Traffic that the construction of the Eleventh Street parking garage has been partially completed by the SMF Corporation in accordance with the contract agreement dated April 15, 1980.

NOW, THEREFORE, BE IT RESOLVED that the construction of the Eleventh Street parking garage be partially accepted from said contractor, the SMF Corporation; that notice of completion be filed with the Recorder of Stanislaus County upon certification from the Director of Parking and Traffic that the work is complete and that payment of amounts due in the amount of $1,862,751 as provided in the contract, be authorized. The portion of the contract partially completed and accepted by this resolution is all of the contract except for change order No. 6 relating to the elevator.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-397

A RESOLUTION ACCEPTING THE CONSTRUCTION OF FIRE STATION NO. 7 AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of Fire Station No. 7

has been completed by Howell and Schmidt, Inc.

in accordance with the contract agreement dated August 5, 1980.

NOW, THEREFORE, BE IT RESOLVED that the construction of Fire Station No. 7

be accepted from said contractor, Howell and Schmidt, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $230,932.70 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-398

A RESOLUTION GRANTING APPROVAL TO THE KING-KENNEDY BOARD OF DIRECTORS FOR A JUNE TEEN DAY FESTIVAL TO TAKE PLACE IN THE KING-KENNEDY CENTER AND IN MELLIS PARK ON SATURDAY, JUNE 20, 1981, FROM 8 O'CLOCK A.M. TO 10 O'CLOCK P.M., SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, the King-Kennedy Board of Directors has filed a request with the City Council for permission to use the King-Kennedy Center and Mellis Park on Saturday, June 20, 1981, from 8 o'clock a.m. to 10 o'clock p.m., to hold an annual June Teen Day Festival, and

WHEREAS, the Council deems it appropriate to grant approval to the King-Kennedy Board of Directors to use the King-Kennedy Center and Mellis Park on Saturday, June 20, 1981, from 8 o'clock a.m. to 10 o'clock p.m., to hold an annual June Teen Day Festival,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby approve the use of the King-Kennedy Center and Mellis Park by the King-Kennedy Board of Directors on Saturday, June 20, 1981, from 8 o'clock a.m. to 10 o'clock p.m., subject to the following conditions:

1. The King-Kennedy Board of Directors, hereinafter referred to as "Board" may use King-Kennedy Center and Mellis Park, including the ballfield, on Saturday, June 20, 1981, from 8 o'clock a.m. to 10 o'clock p.m., for an annual June Teen Day Festival, hereinafter referred to as "Festival", during the hours set forth above.

2. The "Board" may also use the wading pool area in Mellis Park on said date during hours agreed to by the Director of Parks and Recreation.

3. The "Board" shall obtain the necessary permit from the Alcoholic Beverage Control to sell beer in the park. Said beer to be sold only between the hours of 12:00 o'clock noon and 6:00 o'clock p.m.

4. Permission to use amplification equipment is granted for amplified music in the park.

5. The "Board" may use the City's portable stage, which City will install adjacent to the recreation building in the park, and which City will remove.

6. The "Board" shall be permitted to use electricity at the portable stage, and City will provide such electricity to the stage.

7. The City will provide staff supervision of the wading pool area in Mellis Park during hours agreed to by the Director of Parks and Recreation.

8. The City will provide staff custodial maintenance of the restrooms in both the King-Kennedy Center and Mellis Park in the early morning and mid-afternoon on Saturday, June 20, 1981.

9. The City will remove all trash and debris which may accumulate in both King-Kennedy Center and Mellis park as a result of said "festival".

10. The City of Modesto shall indemnify and hold harmless the "Board" from any and all liability, costs, damages, or injuries to persons or damage to property, which may arise out of or in any way be connected with the ordinary and customary condition of City property and facilities, or which may arise out of the negligent acts or omissions of any officer, agent, or employee of the City of Modesto.

11. The "Board" shall indemnify and hold harmless the City of Modesto, its officers, agents and employees, from any and all liability, costs, damages, or injuries to persons or damage to property, which may arise out of or in any way be connected with the "Board's" use of the King-Kennedy Center and Mellis Park and areas adjacent thereto.

12. The "Board" shall furnish to the City Clerk current and valid certificates of insurance evidencing public liability insurance as shall protect the "Board" and its agents and employees from claims for damages for bodily injury and property damage which may arise out of the "Board's" use of the

King-Kennedy Center and Mellis Park and the areas adjacent thereto.

The amount of public liability insurance shall be as follows: a combined single limit policy of Five Hundred Thousand and no/100ths ($500,000.00) Dollars.

The "Board's" liability policy, and the valid certificate of insurance which is to be furnished to the City Clerk shall contain a contractual liability provision stating that the policy is extended to cover the liability assumed by the "Board" under the terms of this resolution, and the liability policy, and the certificate of insurance to be furnished to City, shall not permit cancellation of said insurance unless ten (10) days' prior written notice is furnished to the City Clerk of the City of Modesto.

BE IT FURTHER RESOLVED that the City Clerk shall furnish the "Board" with a copy of this resolution. The "Board" shall file a written acceptance of this resolution with the City Clerk, and no right shall be conferred hereby until said acceptance and the insurance required above are filed with the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-399

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE JOHN MUIR INSTITUTE FOR ENVIRONMENTAL STUDIES, INC. TO PROVIDE A SIXTH YEAR OF RESEARCH ON CONTROL, WITH MINIMAL USE OF CHEMICAL INSECTICIDES, INSECT PESTS ON ORNAMENTAL TREES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and The John Muir Institute for Environmental Studies, Inc. to provide a sixth year of research on control, with minimal use of chemical insecticides, insect pests on ornamental trees

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th **day of** May, **19**81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-400

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LYNN W. JAMISON AND CHRISTINE L. JAMISON FOR THE ACQUISITION OF 550+ SQUARE FEET OF THEIR PROPERTY NEEDED FOR THE SIDEWALKS - SUNRISE/LUCERN TO NORWEGIAN PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Lynn W. Jamison and Christine L. Jamison **for** the acquisition of 550± square feet of their property needed for the sidewalks - Sunrise/Lucern to Norwegian project **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th **day of** May, 19 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-401

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JAMES E. OMAN AND EILEEN M. OMAN FOR THE ACQUISITION OF 600± SQUARE FEET OF THEIR PROPERTY NEEDED FOR THE SIDEWALKS - SUNRISE/LUCERN TO NORWEGIAN PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and James E. Oman and Eileen M. Oman

for the acquisition of 600± square feet of their property needed for the sidewalks - Sunrise/Lucern to Norwegian project

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th **day of** May, 19 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-402

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND FRED RUMSEY AND ALTA N. RUMSEY FOR THE ACQUISITION OF 500+ SQUARE FEET OF THEIR PROPERTY NEEDED FOR THE SIDEWALKS - SUNRISE/LUCERN TO NORWEGIAN PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Fred Rumsey and Alta N. Rumsey **for** the acquisition of 500± square feet of their property needed for the sidewalks - Sunrise/Lucern to Norwegian project **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th **day of** May, **19**81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-403

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CALIFORNIA FEDERAL SAVINGS AND LOAN ASSOCIATION TO MANAGE THE CITY'S MANDATORY AND VOLUNTARY DEFERRED COMPENSATION PLANS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and California Federal Savings and Loan Association **for** managing the City's Mandatory and Voluntary Deferred Compansation Plans

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th **day of** May, **19**81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-404

A RESOLUTION APPROVING THE FINAL MAP OF THE WALNUT TREE ESTATES SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, ALLEN R. GRANT and CAROLYN M. GRANT, husband and wife, and GRANT CONSTRUCTION COMPANY, INC., a corporation,

is (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 39.26 acres, known as the WALNUT TREE ESTATES Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 18th day of August, 1980, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Walnut Tree Estates Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Council-

member Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-405

A RESOLUTION APPROVING THE REQUEST OF K.K.I. COMPANY FOR REFUND FOR OVERPAYMENT OF THEIR CITY MILL TAXES IN THE AMOUNT OF $545.90

BE IT RESOLVED by the Council of the City of Modesto that the request of K.K.I. Company for refund of $545.90 for overpayment of their City mill taxes is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1981, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-406

A RESOLUTION ADOPTING AMENDMENTS TO ENVIRONMENTAL REVIEW GUIDELINES.

WHEREAS, Sections 21000 et seq. of the California Public Resources Code, as amended, comprise the California Environmental Quality Act, and

WHEREAS, the Secretary of the California Resources Agency, pursuant to the provisions of California Public Resources Code Section 21083, adopted "Guidelines for Implementation of the California Environmental Quality Act" which were amended in June of 1980, and

WHEREAS, Section 21082 of the California Public Resources Code requires all public agencies to adopt objectives, criteria, and procedures consistent with the provisions of said Code sections and said California Resources Agency Guidelines for the evaluation of projects and the preparation of environmental impact reports, and

WHEREAS, Chapter 9 of Title IV of the Modesto Municipal Code (Sections 4-10.01 - 4-10.04) authorizes the adoption by resolution of guidelines for determining what projects may have a significant effect on the environment and for the preparation and approval of environmental impact reports, and

WHEREAS, this Council by Resolutions No. 72-1137, 73-276, 74-130, 75-437, 77-14, 77-80, 78-457 and 80-111 has previously adopted Environmental Impact Report Guidelines or amendments thereto, and

WHEREAS, it is necessary to revise said Guidelines in accordance with the amendments to the Guidelines issued by the Secretary of the California Resources Agency in June of 1980.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The attached "City of Modesto Environmental Review Guidelines for Compliance with the California Environmental Quality Act", as amended, be and they are hereby adopted for the City of Modesto.

2. The provisions of this resolution and the amendments to the City of Modesto Guidelines adopted hereby shall supersede and replace the provisions of Resolution No. 80-111 and the previous City of Modesto Guidelines and amendments adopted thereby, to the extent that the provisions of such previous Guidelines and amendments are altered by the amendments hereby adopted; provided, however, that the review of all public and private projects commenced under said previous City of Modesto Guidelines shall be coordinated with procedures outlined in the City of Modesto Guidelines adopted hereby in completing the review and approval of such projects.

3. All actions heretofore taken by officials of the City of Modesto to review and approve public and private projects and actions for purposes of insuring compliance with the California Environmental Quality Act are hereby ratified and approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CITY OF MODESTO

ENVIRONMENTAL REVIEW GUIDELINES

FOR COMPLIANCE WITH THE

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Revised and Adopted by Modesto City Council
Resolution No. 81-406; May 19, 1981

SECTION I. INTRODUCTION

These Guidelines establish procedures for the identification and analysis of environmental effects of projects, and the preparation and processing of Environmental Impact Reports for such projects, when significant effects on the environment are anticipated.

A. Legal Requirements

Sections 21000 et seq. of the California Public Resources Code, as amended, comprise the California Environmental Quality Act.

The Act requires that a determination of possible significant effect on the environment be made for most local projects. In addition, the National Environmental Policy Act makes similar requirements for certain federally funded local projects.

B. State Policy

The legislature has declared that it is the policy of the State to:

1. Develop and maintain a high-quality environment now and in the future, and take all action necessary to protect, rehabilitate and enhance the environmental quality of the state;

2. Take all action necessary to provide the people of this state with clean air and water, enjoyment of aesthetic, natural, scenic, and historic environmental qualities, and freedom from excessive noise;

3. Prevent the elimination of fish or wildlife species due to man's activities, insure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities and examples of the major periods of California history;

4. Ensure that the long-term protection of the environment shall be the guiding criterion in public decisions;

5. Create and maintain conditions under which man and nature can exist in productive harmony to fulfill the social and economic requirements of present and future generations;

6. Require governmental agencies at all levels to develop standards and procedures necessary to protect environmental quality;

7. Require governmental agencies at all levels to consider qualitative factors as well as economic and technical factors and long-term benefits and costs, in addition to short-term benefits and costs, and to consider alternatives to proposed actions affecting the environment;

8. Based on court decisions, the EIR:

   (a) Is to inform other governmental agencies and the public generally of the environmental impact of a proposed project.
   (b) Serves not only to protect the environment but also to demonstrate to the public that it is being protected.

The legislature has also declared that the following policies shall apply to the use of Environmental Impact Reports:

1. The purpose of an Environmental Impact Report is to identify the significant effects of a project on the environment, to identify alternatives to the project, and to indicate the manner in which such significant effects can be mitigated or avoided.

2. Each public agency shall mitigate or avoid the significant effects on the environment of projects it approves or carries out to the extent it is feasible to do so.

3. In the event that economic, social, technical, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, such project may nonetheless be approved or carried out at the discretion of a public agency, provided that the project is otherwise permissible under applicable laws and regulations.

4. Environmental impact reports should omit unnecessary descriptions of projects and emphasize feasible mitigation measures and alternatives to projects.

5. Information developed in invididual environmental impact reports should be incorporated into a data base which can be used to reduce delay and duplication in preparation of later environmental impact reports.

6. The EIR process is intended to enable public agencies in evaluating projects to determine whether a project may have a significant effect on the environment, to examine and institute methods of reducing adverse impacts, and to consider alternatives to a project as proposed. These steps of analysis and evaluation must be completed prior to approval of the project.

C. City of Modesto Policy

While project-by-project analysis of environmental impact is the thrust of the California Environmental Quality Act and the National Environmental Policy Act, the City of Modesto will endeavor also to place emphasis on the environmental impact of the comprehensive urban planning process as embodied primarily in the Modesto Urban Area General Plan.

In this manner, environmental review by the City of Modesto will be considered at two levels:

1. The environmental impact of the long-term plans of the community;

2. The environmental impact of a given project on the long-term plans of the community and on specific environmental concerns such as natural waterways, etc.

SECTION II. DEFINITIONS

The definitions that follow are based on the "Guidelines for Implementation of the California Environmental Quality Act" as adopted and amended by the California Resources Agency and are intended to clarify, but not replace or negate, the definitions used in the California Environmental Quality Act.

A. Approval. "Approval" means the decision by the City which commits the City to a definite course of action in regard to a project intended to be carried out by the City, any person, or any other public agency.

B. California Environmental Quality Act (CEQA). "California Environmental Quality Act (CEQA)" means California Public Resources Code Sections 21000, et seq. as amended.

C. Categorical Exemption. "Categorical Exemption" means an exemption from the requirement for the environmental review process for the class of projects based on a finding by the Secretary of the California Resources Agency that the class of projects does not have a significant effect on the environment.

D. City. "City" means the City of Modesto or the City Council, Board of Zoning Adjustment, Planning Commission, Environmental Assessment Committee or authorized official of the City.

E. Cumulative Impacts. "Cumulative impacts" refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects.

F. Discretionary Project. "Discretionary Project" means an activity defined as a project which requires the exercise of judgment, deliberation, or decision on the part of the City in the process of approving or disapproving a particular activity, as distinguished from situations where the City merely has to determine whether there has been conformity with applicable statutes, ordinances, or regulations. Where a project involves both discretionary and ministerial elements, the entire project will be deemed to be discretionary.

G. Emergency. "Emergency" means a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. Emergency includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage.

H. Environment. "Environment" means the physical conditions which exist in the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

I. Environmental Assessment. "Environmental Assessment" means a check list review which serves as part of an Initial Study of a discretionary project to determine whether the project may have a significant effect, thereby requiring an EIR, or whether it does not and a Negative Declaration can be filed.

J. Environmental Assessment Committee. "Environmental Assessment Committee" means a City staff committee whose primary purpose is to screen discretionary projects to determine whether a project is eligible for a Negative Declaration or whether an EIR is required.

K. Environmental Impact Report (EIR). "Environmental Impact Report" means a detailed statement setting forth the environmental effects and considerations pertaining to a project as specified in Section 21100 of the California Environmental Quality Act.

1. Draft EIR means an EIR prepared according to Section VII B of these guidelines.

2. Final EIR means an EIR prepared according to Section VII C of these guidelines. The Final EIR is an informational document to inform public bodies such as the City Council, Board of Zoning Adjustment and Planning Commission and the general public of the environmental effect of projects. The EIR provides environmental input in addition to the economic and social input necessary for a balanced decision.

L. Environmental Impact Statement (EIS). "Environmental Impact Statement" means an Environmental Impact Report prepared pursuant to the National Environmental Policy Act (NEPA). The Federal Government uses the term EIS in place of the term EIR which is used in CEQA.

M. Feasible. "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.

N. General Plan. "General Plan" means the Modesto Urban Area General Plan, as adopted by the City Council in 1974, including all present and future revisions and amendments.

O. Initial Study. "Initial Study" refers to the preliminary analysis prepared by the City to determine whether an EIR or a Negative Declaration must be prepared. The Environmental Information Form (Exhibit B), the Environmental Check List (Exhibit C), and the Environmental Assessment Committee Initial Study Findings (Exhibit D), comprise the documents utilized in the Initial Study.

P. Lead Agency. "Lead Agency" means the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect on the environment. Where more than one public agency is involved with the same underlying activity, the Lead Agency shall prepare the environmental documents for the project.

Q. Ministerial Projects. "Ministerial Projects" as a general rule include those activities defined as projects which are undertaken or approved by a governmental decision which a public officer or public agency makes upon a given state of facts in a prescribed manner in obedience to the mandate of legal authority. With these projects, the officer or agency must act upon the given facts without regard to his own judgment or opinion concerning the propriety or wisdom of the act, although the statute, ordinance, or regulation may require, in some degree, a construction of its language by the officer. In summary, a ministerial decision involves only the use of fixed standards or objective measurements without personal judgment.

R. Negative Declaration. "Negative Declaration" means a written statement by the Lead Agency briefly describing the reasons that a proposed project, although not otherwise exempt, will not have a significant effect on the environment and therefore does not require the preparation of an EIR.

S. Notice of Completion. "Notice of Completion" means a brief report filed with the Secretary of the California Resources Agency when the City has completed a Draft EIR for review, (Exhibit E). The contents of this notice shall include:

1. A brief description of the project.
2. The proposed location of the project.
3. An address where copies of Draft EIR are available.
4. The period during which comments on the Draft will be received.

T. Notice of Determination. "Notice of Determination" means a notice to be filed with the Stanislaus County Clerk by the City when it approves or determines to carry out a project which is subject to the requirements of CEQA, (Exhibit F). The contents of this report shall include:

1. The decision by the City to approve or disapprove the project;

2. The determination by the City whether the project in its approved form will or will not have a significant effect on the environment and a brief statement of mitigation measures included, if any, and either:

   (a) A statement that no EIR has been prepared pursuant to the provisions of CEQA, and the address where a copy of the Negative Declaration may be examined, or
   (b) A statement that a Final EIR has been prepared and certified and the address where a copy of the report may be examined.

U. Notice of Exemption. "Notice of Exemption" means a notice stating that a project is exempt from CEQA and reasons therefor (Exhibit A).

V. Notice of Preparation. "Notice of Preparation" means a notice stating that an EIR will be prepared for a project. (Exhibit G)

W. Person. "Person" includes any person, firm, association, organization, partnership, business, trust, corporation, company, district, county, city and county, city, town, the state, and any political subdivisions of such entities.

X. Project

1. "Project" means the whole of an action which has a potential for resulting in a physical change in the environment, directly or ultimately, that is any of the following:

(a) An activity directly undertaken by any public agency including, but not limited to, public works construction and related activities, clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption of the General Plan and amendment and other long-term plans of the community;

(b) An activity undertaken by a person which is supported in whole or in part through public agency contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies;

(c) An activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

2. "Project" does not include:

(a) Anything specifically exempted by State law;

(b) Continuing administrative or maintenance activities, such as purchases of supplies, personnel-related actions, emergency repairs to public service facilities, general policy and procedure-making (except as they are applied to specific instances covered above), and feasibility or planning studies;

(c) The submittal of proposals to a vote of the people;

(d) Each separate governmental approval as may be required on a given project.

Y. Public Agency. "Public Agency" includes any state agency, board or commission and any local or regional agency. It does not include the courts of the state nor the agencies of the federal government.

Z. Responsible Agency. "Responsible Agency" means the public agency which proposes to carry out or approve the project but is not a lead agency for the project. It includes all public agencies other than the Lead Agency which have approval power over the project. The responsible agency will normally act after the Lead Agency has completed the EIR or Negative Declaration for the project, and will consider the environmental document prepared by the Lead Agency prior to taking action.

AA. Significant Effect on the Environment. "Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the activity including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

AB. Tiering. "Tiering" refers to the coverage of general matters in broad scope or program EIRs with subsequent narrower environmental documents (such as site-specific EIRs) incorporating by reference the general discussions and concentrating solely on the issues specific to the environmental document subsequently prepared.

AC. Trustee Agency. "Trustee Agency" means a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California. Trustee agencies include:

1. The California Department of Fish and Game with regard to the fish and wildlife of the state;

2. The State Lands Commission with regard to state owned "sovereign" lands;

3. The State Department of Parks and Recreation with regard to units of the State Park System;

4. The University of California with regard to sites within the Natural Land and Water Reserve System.

SECTION III. PROJECTS NOT REQUIRING ENVIRONMENTAL ASSESSMENTS

A. Ongoing Projects

1. A project, as defined in Section II.X(a)1. of these Guidelines, approved prior to November 23, 1970, shall require an Environmental Impact Report or a Negative Declaration if the project may have a significant effect on the environment, and either of the following conditions exists:

   (a) A substantial portion of public funds allocated for the project have not been spent, and it is still feasible to modify the project to mitigate potentially adverse environmental effects, or to choose feasible alternatives to the project, including the alternative of "no project" or halting the project; provided that this Subsection (a) shall not apply to projects whch come under the jurisdiction of the National Environmental Policy Act (NEPA) and which, through regulations promulgated under NEPA, were held to be too far advanced at the time of NEPA's effective date to require an EIS in compliance with those regulations.

   (b) A public agency proposes to modify the project in such a way that the project might have a new significant effect on the environment.

2. A project, as defined in Section II.X(a)2. or in Section II.X(a)3. as it relates to contracts, where the permit or other entitlement was issued, or the contract approved, prior to April 5, 1973, shall not require an EIR or Negative Declaration, subject to the following provisions:

(a) CEQA expressly does not prohibit a public agency from considering environmental factors in connection with the approval or disapproval of a project, or from imposing reasonable fees on the appropriate private person or entity for preparing an environmental report. The City may require environmental reports for projects covered by this paragraph pursuant to ordinances during this interim period.

(b) Where the issuances or approval occurred prior to December 5, 1972, and prior to said date the project was legally challenged for noncompliance with CEQA, the project shall be bound by special rules set forth in Section 21170 of the Public Resources Code.

(c) Where a project involving the issuance of a lease, permit, license, certificate or other entitlement to use has been granted a discretionary governmental approval for part of the project before April 5, 1973, and another or additional discretionary governmental approvals after April 5, 1973, the project shall require an EIR or Negative Declaration only if the approval or approvals after April 5, 1973, involve a greater degree of responsibility or control over the project as a whole than did the approval or approvals prior to that date.

3. Any draft EIR which has been completed or sent out for public review on or before January 1, 1977, in compliance with procedures of a public agency consistent with CEQA and these Guidelines as amended in February 1975, shall be deemed to be in compliance with these Guidelines. No further EIR shall be required except as provided in Subsections 1. and 2.

4. Any project approved before February 7, 1975, by the Stanislaus County Local Agency Formation Commission without complying with CEQA is declared legally effective unless:

(a) The legality of the project was contested in a legal proceeding in which a violation of CEQA was alleged prior to February 7, 1975, and the case was pending and undecided by February 7, 1975, or,

(b) The project was determined to be illegal, void, or ineffective because of noncompliance with CEQA in any judicial proceeding decided before July 6, 1975.

5. Any draft EIR or Negative Declaration which has been completed and sent out for public review before January 1, 1978, in compliance with procedures of a public agency consistent with CEQA and these Guidelines as amended in December 1976, shall be deemed to be in compliance with these Guidelines. No further EIR shall be required except as provided in Section V.D.2.

B. Emergency Projects. The following emergency projects are exempt from the requirements of CEQA, and no EIR or Negative Declaration is required:

1. Projects undertaken, carried out, or approved by a public agency to maintain, repair, restore, demolish or replace property or facilities damaged or destroyed as a result of a disaster in a disaster stricken area in which a state of emergency has been proclaimed by the Governor;

2. Emergency repairs to public service facilities necessary to maintain service;

3. Specific actions necessary to prevent or mitigate an emergency.

C. Feasibility and Planning Studies. A project involving only feasibility or planning studies for possible future actions which the agency, board, or commission has not approved, adopted, or funded does not require the preparation of an environmental impact report but does require consideration of environmental factors as required by Section 21102 of the Public Resources Code.

D. Ministerial Projects. Ministerial projects, including the issuance of building permits, issuance of business licenses, approval of final subdivision maps, and approval of individual utility service connections and disconnections, do not need environmental assessments. Where a project involves an approval that contains elements of both a ministerial action and a discretionary action, the project will be deemed to be discretionary and will be subject to the requirements of CEQA.

E. Projects Which Are Disapproved

1. CEQA does not apply to projects which a public agency rejects or disapproves.

2. This section is intended to allow an initial screening of projects on the merits for quick disapprovals prior to the initiation of the CEQA process where the City can determine that the project cannot be approved.

3. This section shall not relieve an applicant from paying the costs for an EIR or Negative Declaration prepared for his project prior to the Lead Agency's disapproval of the project after normal evaluation and processing.

F. Rates, Tolls, Fares, and Charges

1. CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies which the public agency finds are for the purpose of:

(a) Meeting operating expenses, including employee wage rates and fringe benefits;

(b) Purchasing or leasing supplies, equipment or materials;

(c) Meeting financial reserve needs and requirements;

(d) Obtaining funds for capital projects, necessary to maintain service within existing service areas; or

(e) Obtaining funds necessary to maintain such intra-city transfers as authorized by city charter.

2. The City shall incorporate written findings in the record of any proceeding in which an exemption under this section is claimed setting forth with specificity the basis for the claim of exemption.

G. Proposition 13 Adjustments. CEQA does not apply to actions taken prior to January 1, 1982, by a public agency to implement the transition from the property taxation system in effect prior to July 1, 1978, to the system provided for by Article XIII A of the California Constitution. This exemption is limited to projects directly undertaken by any public agency or projects undertaken by a person which are supported in whole or in part through contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies where the projects:

1. Initiate or increase fees, rates, or charges charged for any existing public service, program, or activity, or

2. Reduce or eliminate the availability of an existing public service program, or activity, or

3. Close publicly owned or operated facilities, or

4. Reduce or eliminate the availability of an existing publicly owned transit service, program, or activity.

H. Passenger or Commuter Service on Existing Rail Lines. CEQA does not apply to projects for the institution or increase of passenger or commuter service on rail lines already in use, including the modernization of existing stations and parking facilities.

I. State and Regional Transportation Improvement Programs. CEQA does not apply to a project for the development of a regional transportation improvement program.

J. Projects With Categorical Exemptions

1. The classes of projects set forth in this Section have been determined not to have a significant effect on the environment, are consistent with the classes of projects which have been determined by the Secretary of the California Resources Agency to be exempt from the provisions of the California Environmental Quality Act, and are declared categorically exempt from an environmental assessment and from the preparation of a Negative Declaration or an Environmental Impact Report.

2. Exceptions

(a) Location. The exemption for Classes 3, 4, 5, 6 and 11 are qualified by consideration of where the project is to be located - a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive

environment be significant. Therefore, the exemption for these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state or local agencies.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time, is significant - for example, where there are annual additions to an existing building under Class 1.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

3. Listing of Specific Activities

The Environmental Assessment Committee shall prepare a list of specific activities which fall within each of the exempt classes, which list shall be on file in the Office of the Director of Planning and Community Development of the City of Modesto. Said specific activities shall be categorically exempt unless the City Council, pursuant to an appeal under Title IV, Chapter 10 of the Modesto Municipal Code, determines otherwise. The City Council shall direct the Committee to file a Notice and Certificate of Determination of Exemption from Environmental Assessment, or to prepare a Negative Declaration or an Environmental Impact Report, whichever shall be consistent with the findings of the City Council.

4. Specific Classes

Class 1: Existing Facilities. Class 1 consists of the operation, repair, maintenance or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to:

(a) Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances;

(b) Existing facilities of both investor and publicly owned utilities used to provide water, electric power, natural gas, sewerage, or other public utility services;

(c) Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities except where the activity will involve removal of a scenic resource including but not limited to a stand of trees, a rock outcropping, or a historic building;

(d) Restoration or rehabilitation of deteriorated or damaged structures, facilities or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide or flood;

(e) Additions to existing structures provided that the addition will not result in an increase of more than:

(i) 50 percent of the floor area of the structures before the addition or 2,500 square feet, whichever is less; or

(ii) 10,000 square feet if:

(ab) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan; and

(ac) The area in which the project is located is not environmentally sensitive.

(f) Addition of safety or health protection devices for use during construction of or in conjunction with existing structures, facilities or mechanical equipment, or topographical features including navigational devices;

(g) New copy on existing on and off-premise signs;

(h) Maintenance of existing landscaping, native growth and water supply reservoirs (excluding the use of economic poisons, as defined in Division 7, Chapter 2, California Agricultural Code);

(i) Maintenance of fish screens, fish ladders, wildlife habitat areas, artificial wildlife waterway devices, streamflows, springs and waterholes, and stream channels (clearing of debris) to protect fish and wildlife resources;

(j) Fish stocking by the California Department of Fish and Game;

(k) Division of existing multiple family rental units into condominiums;

(l) Demolition and removal of individual small structures listed in this subsection except where the structures are of historical, archaeological or architectural significance:

(i) Single-family residences not in conjunction with the demolition of two or more units;

(ii) Motels, apartments, and duplexes designed for not more than four dwelling units if not in conjunction with the demolition of two or more such structures;

(iii) Stores, offices, and restaurants if designed for an occupant load of 20 persons or less, if not in conjunction with the demolition of two or more such structures;

(iv) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.

(m) Minor repairs and alterations to existing dams and appurtenant structures under the supervision of the Department of Water Resources;

(n) Conversion of a single family residence to office use;

(o) The conversion of existing commercial units in one structure from single to condominium type ownership.

Class 2: Replacement or Reconstruction. Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to:

(a) Replacement or reconstruction of existing schools and hospitals to provide earthquake resistant structures which do not increase capacity more than 50 percent;

(b) Replacement of a commercial structure with a new structure of substantially the same size, purpose and capacity;

(c) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity;

(d) Conversion of overhead electric utility distribution system facilities into underground including connection to existing overhead electric utility distribution lines where the surface is restored to the condition existing prior to the undergrounding.

Class 3: New Construction or Conversion of Small Structures. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable within a two year period. Examples of this exemption include but are not limited to:

(a) Single-family residences not in conjunction with the building of two or more such units. In urbanized areas, up to three single-family residences may be constructed under this exemption.

(b) Apartments, duplexes and similar structures with not more than four dwelling units if not in conjunction with the building of two or more such structures. In urbanized areas, the exemption applies to single apartments, duplexes, and similar small structures designed for not more than six dwelling units if not constructed in conjunction with the building of two or more such structures.

(c) Stores, motels, offices, restaurants and similar small commercial structures not involving the use of significant amounts of hazardous substances, if designed for an occupant load of 30 persons or less, and if not constructed in conjunction with the building of two or more such structures. In urbanized areas, the exemption also applies to commercial buildings on sites zoned for such use, if designed for an occupant load of

30 persons or less, if not constructed in conjunction with the building of 4 or more such structures, and if not involving the use of significant amounts of hazardous substances.

(d) Water main, sewage, electrical, gas and other utility extensions of reasonable length to serve such construction.

(e) Accessory (appurtenant) structures including garages, carports, patios, swimming pools and fences.

Class 4: Minor Alterations to Land. Class 4 consists of minor public or private alterations in the condition of land, water and/or vegetation which do not involve removal of mature, scenic trees except for forestry and agriculture purposes. Examples include but are not limited to:

(a) Grading on land with a slope of less than 10 percent, except where it is to be located in a waterway, in any wetland, in an officially designated (by federal, state or local governmental action) scenic area, or in officially mapped areas of severe geologic hazard;

(b) New gardening or landscaping;

(c) Filling of earth into previously excavated land with material compatible with the natural features of the site;

(d) Minor alterations in land, water and vegetation on existing officially designated wildlife management areas or fish production facilities which result in improvement of habitat for fish and wildlife resources or greater fish production;

(e) Minor temporary uses of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees, pumpkins, fireworks, etc.;

(f) Minor trenching and backfilling where the surface is restored;

(g) Maintenance dredging where the spoil is deposited into a spoil area authorized by all applicable state and federal regulatory agencies;

(h) The creation of bicycle lanes on existing rights-of-way.

Class 5: Minor Alterations in Land Use Limitations. Class 5 consists of minor alterations in land use limitations in areas with less than a 20 percent slope, which do not result in any changes in land use or density including but not limited to:

(a) Minor lot line adjustments, side yard and set back variances not resulting in the creation of any new parcel;

(b) Issuance of minor encroachment permits;

(c) Reversion to acreage in accordance with the Subdivision Map Act;

(d) Acquisition of avigation easements;

Class 6: Information Collection. Class 6 consists of basic data collection, research, experimental management and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be for strictly information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted or funded.

Class 7: Actions by Regulatory Agencies for Protection of Natural Resources. Class 7 consists of actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment. Examples include but are not limited to wildlife preservation activities of the State Department of Fish and Game. Construction activities are not included in this exemption.

Class 8: Actions by Regulatory Agencies for Protection of the Environment. Class 8 consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities are not included in this exemption.

Class 9: Inspections. Class 9 consists of activities limited entirely to inspection, to check for performance of an operation or quality, health or safety of a project, including related activities such as inspection for possible mislabeling, misrepresentations or adulteration of products.

Class 10: Loans. Class 10 consists of loans made by the Department of Veterans Affairs under the Veterans Farm and Home Purchase Act of 1943, mortgages for the purchase of existing structures where the loan will not be used for new construction and the purchase of such mortgages by financial institutions. Class 10 includes but is not limited to the following examples:

(a) Loans made by the Department of Veterans Affairs under the Veterans Farm and Home Purchase Act of 1943.

(b) Purchases of mortgages from banks and mortgage companies by the Public Employees Retirement System and by the State Teachers Retirement System.

Class 11: Accessory Structures. Class 11 consists of construction or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities including but not limited to:

(a) On-premise signs;

(b) Small parking lots;

(c) Placement of seasonal or temporary use items such as lifeguard towers, mobile food units, portable restrooms or similar items in generally the same locations from time to time in publicly

owned parks, stadiums, or other facilities designed for public use.

Class 12: Surplus Government Property Sales. Class 12 consists of sales of surplus government property except for parcels of land located in an area of statewide interest or potential area of critical concern as identified in the Governor's Environmental Goals and Policy Report prepared pursuant to Government Code Sections 65041 et seq. However, if the surplus property to be sold is located in those areas identified in the Governor's Environmental Goals and Policy Report, its sale is exempt if:

(a) The property does not have significant values for wildlife habitat or other environmental purposes, and

(b) Any of the following conditions exist:

(i) The property is of such size or shape that it is incapable of independent development or use; or

(ii) The property to be sold would qualify for an exemption under any other class of categorical exemption in Article 8 of these Guidelines; or

(iii) The use of the property and adjacent property has not changed since the time of purchase by the public agency.

Class 13: Acquisition of Lands for Wildlife Conservation Purposes. Class 13 consists of the acquisition of lands for fish and wildlife conservation purposes including preservation of fish and wildlife habitat, establishing ecological reserves under Fish and Game Code Section 1580, and preserving access to public lands and waters where the purpose of the acquisition is to preserve the land in its natural condition.

Class 14: Minor Additions to Schools. Class 14 consists of minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than 25 percent or five classrooms, whichever is less. The addition of portable classrooms is included in this exemption.

Class 15: Minor Land Divisions. Class 15 consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have a slope greater than 20%.

Class 16: Transfer of Ownership of Land in Order to Create Parks. Class 16 consists of the acquisition or sale of land in order to establish a park where the land is in a natural condition or contains historic sites or archaeological sites and either:

(a) The management plan for the park has not been prepared;

(b) The management plan proposes to keep the area in a natural condition or preserve the historic or archaeological site. CEQA will apply when a management plan is proposed that will change the area from its natural condition or significantly change the historic or archaeological site.

Class 17: Open Space Contracts or Easements. Class 17 consists of the establishment of agricultural preserves, the making and renewing of open space contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area. The cancellation of such preserves, contracts, interests or easements is not included.

Class 18: Designation of Wilderness Areas. Class 18 consists of the designation of wilderness areas under the California Wilderness System.

Class 19: Annexations of Existing Facilities and Lots for Exempt Facilities. Class 19 consists of only the following annexations:

(a) Annexations to a city or special district of areas containing existing public or private structures developed to the density allowed by the current zoning or prezoning of either the gaining or losing governmental agency, whichever is more restrictive, provided, however, that the extension of the utility services to the existing facilities would have a capacity to serve only the existing facilities;

(b) Annexations of individual small parcels of the minimum size for facilities exempted by Class 3, New Construction of Small Structures.

Class 20: Changes in Organization of Local Agencies. Class 20 consists of changes in the organization or reorganization of local governmental agencies where the changes do not change the geographical area in which previously existing powers are exercised. Examples include but are not limited to:

(a) Establishment of a subsidiary district;

(b) Consolidation of two or more districts having identical powers;

(c) Merger with a city or a district lying entirely within the boundaries of the city.

Class 21: Enforcement Actions by Regulatory Agencies.

(a) Class 21 consists of actions by regulatory agencies to enforce or revoke a lease, permit, license, certificate, or other entitlement for use issued, adopted or prescribed by the regulatory agency or by law, general rule, standard, or objective, administered or adopted by the regulatory agency. Such actions include but are not limited to, the following:

(i) The direct referral of a violation of lease, permit, license, certificate, or entitlement for use or of a general rule, standard, or objective to the Attorney General, District Attorney, or City Attorney as appropriate, for judicial enforcement;

(ii) The adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate or entitlement for use or enforcing the general rule, standard, or objective.

(b) Construction activities undertaken by the public agency taking the enforcement or revocation action are not included in this exemption.

Class 22: Educational or Training Programs Involving No Physical Changes. Class 22 consists of the adoption, alteration, or termination of educational or training programs which involve no physical alteration in the area affected or which involve physical changes only in the interior of existing school or training structures. Examples include, but are not limited to:

(a) Development of or changes in curriculum or training methods;

(b) Changes in the grade structure in a school which do not result in changes in student transportation.

Class 23: Normal Operations of Facilities for Public Gatherings. Class 23 consists of the normal operations of existing facilities for public gatherings for which the facilities were designed, where there is a past history of the facility being used for the same kind of purpose. Facilities included within this exemption include, but are not limited to: racetracks, stadiums, convention centers, auditoriums, amphitheaters, planetariums, swimming pools and amusement parks.

Class 24: Regulation of Working Conditions. Class 24 consists of actions taken by regulatory agencies, including the Industrial Welfare Commission as authorized by statute, to regulate any of the following:

(a) Employee wages;

(b) Hours of work; or

(c) Working conditions where there will be no demonstrable physical changes outside the place of work.

Class 25: Transfers of Ownership of Interests in Land to Preserve Open Space. Class 25 consists of the transfers of ownership of interests in land in order to preserve open space. Examples include but are not limited to:

(a) Acquisition of areas to preserve the existing natural conditions;

(b) Acquisition of areas to allow continued agricultural use of the areas;

(c) Acquisition to allow restoration of natural conditions;

(d) Acquisition to prevent encroachment of development into flood plains.

Class 26: Acquisition of Housing for Housing Assistance Programs. Class 26 consists of actions by a redevelopment agency, housing authority, or other public agency to implement an adopted Housing Assistance Plan by acquiring an interest in housing units. The housing units may be either in existence or possessing all required permits for construction when the agency makes its final decision to acquire the units.

Class 27: Leasing New Facilities

(a) Class 27 consists of the leasing of a newly constructed or previously unoccupied privately-owned facility by a local or state agency where the local governing authority determined that the building was exempt from CEQA. To be exempt under this section, the proposed use of the facility:

(i) Shall be in conformance with existing State plans and policies and with general, community, and specific plans for which an EIR or Negative Declaration has been prepared;

(ii) Shall be substantially the same as that originally proposed at the time the building permit was issued;

(iii) Shall not result in a traffic increase of greater than 10% of front access road capacity; and

(iv) Shall include the provision of adequate employee and visitor parking facilities.

(b) Examples of Class 27 include but are not limited to:

(i) Leasing of administrative offices in newly constructed office space;

(ii) Leasing of client service offices in newly constructed retail space;

(iii) Leasing of administrative and/or client service offices in newly constructed industrial parks.

K. Notice of Exemption

1. When the City determines that a project is exempt from the requirements of CEQA, it may file a Notice of Exemption (Exhibit A). Such a notice shall include:

(a) A brief description of the project;

(b) A finding that the project is exempt, including a citation to the section of these Guidelines under which it is found to be exempt; and

(c) A brief statement of reasons to support the findings.

2. When the City determines a project is exempt from the requirements of CEQA, it or the applicant may file a Notice of Exemption. The Notice filed by an applicant shall contain the information required in subdivision 1. above, together with a certified document issued by the City stating that it has found the project to be exempt. This may be a certified copy of an existing document or record of the City.

3. When the City files this Notice, the Notice will be filed with the Stanislaus County Clerk. Copies of all such Notices will be available for public inspection and a list of such Notices shall be posted on a weekly basis in the office of the Stanislaus County Clerk. Each such list shall remain posted for a period of 30 days.

4. The filing of a Notice of Exemption starts a 35 day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. If a Notice is not filed, a 180 day statute of limitation will apply.

SECTION IV. PROJECTS REQUIRING ENVIRONMENTAL ASSESSMENTS

A. New Public and Private Projects

All public projects by public agencies, and private projects involving governmental participation, financing or approval shall require environmental assessments, excepting those projects identified in Section III. Using the environmental assessment check list (Exhibit C), an EIR shall be required whenever the project may have a significant effect on the environment or whenever it can be fairly argued on the basis of substantial evidence that the project may have a significant effect on the environment. An EIR shall also be required when there is serious public controversy concerning the environmental effect of a project.

SECTION V. ENVIRONMENTAL ASSESSMENT PROCEDURES, TIMING, FEES, AND CONSULTATION WITH RESPONSIBLE AGENCIES AND TRUSTEE AGENCIES

A. Initial Screening

When a project, as defined in Section II, is submitted to the City, or when the City intends to carry out a project, an initial screening shall be made by the appropriate department to determine whether or not the project requires an environmental assessment. Those projects requiring environmental assessments shall be reviewed by the Environmental Assessment Committee prior to further processing. If requested by the person or public agency who submitted the project, within seven (7) days after submittal the Committee shall cause to be filed a Notice of Exemption,

(Exhibit A) for projects which are exempt. For projects requiring environmental assessments, the person or public agency who submitted the project shall submit a completed Environmental Information Form, (Exhibit B).

B. Projects With Short Time Periods for Decision

A few statutes require agencies to make decisions on permits within time limits that are so short that review of the project under CEQA would be difficult. To enable the City to comply with both the permit statute and CEQA, the City shall deem an application for a project not received for filing under the permit statute until such time as the environmental documentation required by CEQA has been completed. This section will apply where all of the following conditions are met:

1. The enabling legislation for a program, other than Chapter 4.5 (commencing with Section 65920) of Division 1 of Title 7 of the Government Code, requires the City to take action on an application within a specified period of time that is six months or less, and

2. The enabling legislation provides that the project will become approved by operation of law if the City fails to take any action within such specified time period, and

3. The project involves the issuance of a lease, permit, license, certificate, or other entitlement for use.

C. Review of the Environmental Assessment Committee (EAC)

1. The Environmental Assessment Committee (EAC) shall proceed with project review once it has accepted as complete the Environmental Information Form.

   The EAC shall use the Environmental Checklist (Exhibit C) as EAC input to the Initial Study to find whether the project will have a significant effect on the environment, or may use an Initial Study prepared pursuant to the California Environmental Quality Act or the National Environmental Policy Act.

   The City shall complete and certify an EIR in no more than one year, or complete a Negative Declaration in not more than 105 days, from the date on which an application requesting approval for a project is received and accepted as complete by the City. Completion of a Negative Declaration within said 105 day period shall include the conduct of an initial study, public review, and the preparation of a document ready for approval of the decision-making body, but need not include the approval of the Negative Declaration by the decision-making body. The one year or 105 day time periods may be extended for a reasonable time period in the event that compelling circumstances justify additional time and the project applicant agrees to the extension. Additionally, the City may waive the one year or 105 day time periods, as provided by law.

When more than one public agency will be involved in undertaking or approving a project, the City shall consult with all Responsible Agencies before completing a draft EIR or adopting a Negative Declaration. Consultation is designed to insure that the EIR or Negative Declaration will reflect the concerns of all Responsible Agencies which will issue approvals for the project. Prior to determining whether a Negative Declaration or Environmental Impact Report is required for a project, the City shall also consult with any Trustee Agencies responsible for natural resources affected by the project. Consultation with Responsible Agencies and with Trustee Agencies may be done quickly and informally.

If the City, a Responsible Agency, a Trustee Agency, or a project applicant requests one or more meetings between representatives of the agencies involved to assist the City in determining the scope and content of the environmental information which the Responsible Agency may require, such meetings shall be convened by the City as soon as possible, but no later than 30 days, after the meetings were requested.

After completing a draft EIR or Negative Declaration, the City shall also consult with and seek to obtain comments from each Responsible Agency and other public agencies having jurisdiction by law, and additionally, should consult with persons having special expertise with respect to any environmental impact involved.

Upon completion of the Environmental Checklist, the EAC shall complete the Environmental Assessment Committee Initial Study Findings sheet (Exhibit D).

2. If the Environmental Assessment Committee finds that the proposed project will not have a significant effect on the environment, it shall do the following:

   (a) Provide notice of the preparation of a Negative Declaration to the public within a reasonable period of time prior to final adoption by the City of the Negative Declaration. Notice shall be given to all organizations and individuals who have previously requested such notice and shall also be given by publication by the City in a newspaper of general circulation in the area affected by the proposed project.

   When one or more state agencies will be a Responsible Agency or a Trustee Agency, the City shall send a Notice of Preparation by certified mail to each Responsible Agency and to each Trustee Agency, with a copy to the State Clearinghouse in the Office of Planning and Research. When the Notice of Preparation is submitted to the State Clearinghouse, the state identification number issued by the Clearinghouse shall be the identification number for all subsequent environmental documents on the project. The identification number should be referenced on all subsequent correspondence regarding the project.

   Where a state agency is a Responsible Agency or otherwise has jurisdiction by law with respect to the project, where a

Negative Declaration is prepared pursuant to NEPA or the Federal Guidelines, or where a state agency has special expertise with regard to the environmental impacts involved, the City shall also submit copies of the Negative Declaration to the State Clearinghouse for review. The number of copies of a Negative Declaration submitted to the State Clearinghouse shall not be less than ten unless the State Clearinghouse approves a lesser number in advance.

(b) If a written public response has been filed with the City Clerk within 15 days from the date of publication of the notice of preparation of the Negative Declaration, or where copies of the Negative Declaration have been submitted to the State Clearinghouse for review and a state agency has filed a written response with the City Clerk within 30 days of such submittal, the Committee shall within seven days consider the responses and reconsider its Findings.

(c) After such reconsideration, or if no written responses have been filed within the appropriate time periods, the Committee shall file its Findings with the decision-making body. The decision-making body shall review the Findings, any written responses from the public or from state agencies and the Committee's comments to said responses, and take one of two actions:

(i) Certify the Findings and adopt the Negative Declaration. After making the decision to carry out or approve a project for which a Negative Declaration has been prepared, the City shall file a Notice of Determination, with the Stanislaus County Clerk. If the project requires discretionary approvals from a State agency, the Notice of Determination also shall be filed with the Secretary of Resources.

(ii) Determine that an EIR is required. The project shall then proceed with the EIR process contained in Section VI of these Guidelines.

3. If the Environmental Assessment Committee finds that the proposed project may have a significant effect on the environment;

(a) The project shall proceed in accordance with the EIR process contained in Section VI of these Guidelines, unless on appeal to the City Council it is determined that the proposed project will not have a significant effect on the environment.

(b) If on appeal to the City Council, it is determined that the proposed project will not have a significant effect on the environment and that no EIR is required, the City Council shall prepare environmental assessment findings in accordance with said determination, which findings may be set forth in the resolution of the City Council adopted in connection with the granting of the appeal. Said resolution shall also constitute the Negative Declaration for the project. Prior to the final adoption of the Negative Declaration by the City, notice of the preparation of the Negative Declaration shall be provided as prescribed in Paragraph C.2(a) of this Section V, and a review period

shall be provided as set forth in Paragraphs C.2(b) and (c) of Section V to permit reconsideration by the City Council.

(c) After making the decision to carry out or approve a project for which a Negative Declaration has been prepared, the City shall file a Notice of Determination, with the Stanislaus County Clerk. If the project requires a discretionary approval from a state agency, the Notice of Determination also shall be filed with the Secretary of Resources.

D. Special Situations

1. Projects of Statewide, Regional or Areawide Significance.

(a) Projects meeting the criteria in this section shall be deemed to be of statewide, regional or areawide significance. EIRs or Negative Declarations prepared by the City on a project described in this section shall be submitted to the State Office of Planning and Research (State Clearinghouse) and should be submitted also to SAAG (Metropolitan Clearinghouse) for review and comment.

(b) The City shall determine that a proposed project is of statewide, regional, or areawide significance if the project meets any of the following criteria:

(i) A proposed local general plan, element, or amendment thereof for which an EIR was prepared;

(ii) A project which would interfere with the attainment or maintenance of State or national air quality standards including:

(aa) A proposed residential development of more than 500 dwelling units.

(ab) A proposed shopping center or business establishment employing more than 1,000 persons or encompassing more than 500,000 square feet of floor space.

(ac) A proposed commercial office building employing more than 1,000 persons or encompassing more than 250,000 square feet of floor space.

(ad) A proposed hotel/motel development of more than 500 rooms.

(ae) A proposed industrial manufacturing or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or encompassing more than 650,000 square feet of floor area.

(iii) A project which would result in the cancellation of an

open space contract made pursuant to the California Land Conservation Act of 1965 (Williamson Act) for any parcel of 100 or more acres;

(iv) A project located in and substantially impacting on an area of critical environmental sensitivity for which an EIR was prepared;

(v) A project which would substantially affect sensitive wildlife habitats incuding but not limited to riparian lands, wetlands, bays, estuaries, marshes, and habitats for rare and endangered species, as defined by Fish and Game Code Section 903;

(vi) A project which would interfere with attainment of regional water quality standards as stated in the approved areawide waste water management plan;

(vii) A project which would provide housing, jobs, or occupancy for 500 or more people within 10 miles of a nuclear power plant.

2. Subsequent EIR. Where an EIR or Negative Declaration has been prepared, no additional EIR need be prepared unless:

(a) Substantial changes are proposed in the project which will require important revisions of the EIR, due to the involvement of new significant environmental impacts not considered in a previous EIR on the project; or

(b) There are substantial changes with respect to the circumstances under which the project is to be undertaken, such as a substantial deterioration in the air quality where the project will be located, which will require important revisions in the EIR due to the involvement of new significant environmental impacts not covered in a previous EIR; or

(c) New information of substantial importance to the project becomes available, and:

(i) The information was not known and could not have been known at the time the EIR was certified as complete or the Negative Declaration was adopted, and

(ii) The new information shows any of the following:

(aa) The project will have one or more significant effects not discussed previously in the EIR;

(ab) Significant effects previously examined will be substantially more severe than shown in the EIR;

(ac) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project;

(ad) Mitigation measures or alternatives which were not previously considered in the EIR would substantially lessen one or more significant effects on the environment.

(d) When a subsequent EIR is required by this Subsection 2:

(i) If the EIR or Negative Declaration has been completed but the project has not yet been approved, the City shall prepare or cause to be prepared the subsequent EIR before approving the project.

(ii) If the project was approved prior to the occurrence of the conditions described in Subsection (a), the subsequent EIR shall be prepared by the public agency which grants the next discretionary approval for the project. In this situation no other Responsible Agency shall grant an approval for the project until the subsequent EIR has been completed.

3. Supplement to an EIR

(a) The City may choose to prepare a supplement to an EIR rather than a subsequent EIR if:

(i) Any of the conditions described in Section V.D.2. would require the preparation of a subsequent EIR, and

(ii) Only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.

(b) The supplement to the EIR need contain only the information necessary to make the previous EIR adequate for the project as revised.

(c) A supplement to the EIR shall be given the same kind of notice and public review as is given to a draft EIR.

(d) A supplement to an EIR may be circulated by itself without recirculating the previous draft or final EIR.

(e) When the City decides whether to approve the project, the decision-making body shall consider the previous EIR as revised by the supplemental EIR. The required findings shall be made for each significant effect shown in the previous EIR as revised.

4. Use of a Single EIR. The City may employ a single EIR to describe more than one project, if such projects are essentially the same in terms of environmental impact. Further, the City may use an earlier EIR prepared in connection with an earlier project to apply to a later project, if the circumstances of the projects are essentially the same. The City may elect to write EIRs in advance for entire programs or regulations, in order to be prepared for project applications to come. Whenever the City chooses to utilize any of these alternatives, however, it must find that the environmental effects of the projects are similar enough to

warrant the same treatment in an EIR and that the EIR will adequately cover the impacts of any single project. If these tests are not met, the City should supplement the EIR it prepares for a program to apply it to an individual project.

5. Use of a General Plan EIR With Subsequent Projects. The EIR on the General Plan may be used as the foundation document for EIRs subsequently prepared for specific projects within the geographic area covered by the General Plan. The subsequent EIRs may reference and summarize material in the EIR on the General Plan for the description of the general environmental setting and as much of the description of the environmental impacts as applies to the specific project. Detailed information in the EIR on the specific project may be limited to a description of the project, the specific environmental setting and those impacts which are not adequately described for the specific project in the EIR on the general plan. When a subsequent EIR refers to an EIR on the General Plan for part of its description of the environment and the environmental impacts, copies of the EIR on the General Plan shall be made available to the public in a number of locations in the community and to any clearinghouses which will assist in public review of the EIR. The purpose of this section is not to restrict analysis of environmental issues but is to avoid the necessity for repeating detail from a General Plan EIR.

6. Housing and Neighborhood Commercial Facilities in Urbanized Areas

(a) A project involving the construction of housing or neighborhood commercial facilities in an urbanized area may be approved after considering an EIR previously prepared for a specific plan after the City complies with the requirements of this section.

(b) The procedures for complying with this section are as follows:

(i) The City shall conduct an initial study to determine whether the project may have one or more significant effects on the environment.

(ii) The City shall give notice of its proposed use of a previously prepared EIR to all persons who have submitted a written request for notice and shall also give notice by either:

(aa) Posting notices on and off the site in the area where the project would be located, or

(ab) Mailing notices directly to owners of property contiguous to the project site.

(iii) The City shall make the following findings with regard to planning and the previously prepared EIR:

(aa) That the project is consistent with a specific plan which was adopted for the area pursuant to the Government Code;

(ab) That the specific plan was adopted not more than five years prior to the findings made pursuant to this subsection and

that the method of adoption was the procedure specified in the Government Code for adopting specific plans and regulations;

(ac) That the specific plan has been the subject of a certified Environmental Impact Report;

(ad) That the Environmental Impact Report is sufficiently detailed so that all the significant effects of the project on the environment and measures necessary to mitigate or avoid any such effects can be determined. This examination of the previously prepared EIR shall include a specific finding as to whether there would be any significant physical effects on existing structures and neighborhoods of historical or aesthetic significance if any exist in the area covered by the plan or program, and whether measures necessary to mitigate or avoid such effects are included in the EIR;

(ae) That a subsequent EIR is not required.

(iv) The City shall make one or more findings with regard to mitigating or avoiding each significant effect that the project would have on the environment.

(v) The City shall file a Notice of Determination with the Stanislaus County Clerk if the City approves the project.

(c) As used in this section, "neighborhood commercial facilities" means those commercial facilities which are an integral part of a project involving the construction of housing and which will serve the residents of such housing.

7. Multiple and Phased Projects. Where individual projects are, or a phased project is, to be undertaken and where the total undertaking comprises a project with significant environmental effects, the City must prepare a single EIR for the ultimate project. Where an individual project is a necessary precedent for action on a larger project, or commits the City to a larger project, with significant environmental effect, an EIR must address itself to the scope of the larger project. Where one project is one of several similar projects of the City but is not deemed a part of a larger undertaking or a larger project, the City may prepare one EIR for all projects, or one for each project, but shall in either case comment upon the cumulative effect.

8. Staged EIR

(a) Where a large capital project will require a number of discretionary approvals from governmental agencies and one of the approvals will occur more than 2 years before construction will begin, a staged EIR may be prepared covering the entire project in a general form. The staged EIR should evaluate the proposal in light of current and contemplated plans and produce an informed estimate of the environmental consequences of the entire project. The aspect of the project before the City for approval shall be discussed with a greater degree of specificity.

(b) When a staged EIR has been prepared, a supplement to the EIR shall be prepared when a later approval is required for the project, and the information available at the time of the later approval would permit consideration of additional environmental impacts, mitigation measures and reasonable alternatives to the project.

(c) Where a statute such as the Warren-Alquist Energy Resources Conservation and Development Act provides that a specific agency shall be the Lead Agency for a project and requires the Lead Agency to prepare an EIR, a Responsible Agency which must grant an approval for the project before the Lead Agency has completed the EIR may prepare and consider a staged EIR.

9. Master Environmental Assessment. The City may prepare a master environmental assessment, inventory, or data base for all, or a portion of, the territory subject to its control in order to provide information which may be used or referenced in EIRs or Negative Declarations.

10. Tiering. Whenever a broad scope EIR has been prepared on a program, plan, or policy and an environmental document is prepared later on an action included within the program, plan, or policy (such as a site specific action), the subsequent environmental document need only summarize the issues discussed in the broad scope or program EIR, incorporate discussion from the broader EIR by reference, and concentrate on the specific action proposed. The subsequent document shall state where the earlier document is available. Tiering may also be appropriate for different stages of actions.

11. Program EIR

(a) General. A program EIR is an EIR which may be prepared on an integrated series of actions that are related either:

(i) Geographically;

(ii) As logical parts in the chain of contemplated actions;

(iii) In connection with issuances of rules, regulations, plans or other general criteria to govern the conduct of a continuing program; or

(iv) As individual projects carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

(b) Advantages. Use of a program EIR can provide certain advantages. The program EIR can:

(i) Provide an occasion for more exhaustive consideration of effects and alternatives than would be practical in an EIR or an individual action;

(ii) Ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis;

(iii) Avoid duplicative reconsideration of basic policy considerations;

(iv) Allow the City to consider broad policy alternatives and program-wide mitigation measures at an early time when the City has greater flexibility to deal with basic problems or cumulative impacts;

(v) Allow reduction in paperwork.

(c) Use With Later Activities. Subsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared.

(i) If a later activity would have effects that were not examined in the program EIR, a new Initial Study would need to be undertaken leading to either an EIR or a Negative Declaration.

(ii) If the City finds that pursuant to Section V.D.2., no new effects could occur or no new mitigation measures would be required, the City can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required.

(iii) The City shall incorporate feasible mitigation measures and alternatives developed in the program EIR into subsequent actions in the program.

(iv) Where the subsequent activities involve site specific operations, the City should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR.

(v) A program EIR will be most helpful in dealing with subsequent activities if it deals with the effects of the program as specifically and comprehensively as possible. With a good and detailed analysis of the program, many subsequent activities could be found to be within the scope of the project described in the program EIR, and no further environmental documents would be required.

(d) Use With Subsequent EIRs and Negative Declarations. A program EIR can be used to simplify the task of preparing environmental documents on later parts of the program. The program EIR can:

(i) Provide the basis in an initial study for determining whether the later activity may have any significant effects;

(ii) Be incorporated by reference to deal with regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole;

(iii) Focus an EIR on a subsequent project to permit discussion solely of new effects which had not been considered before.

(e) Notice With Later Activities. When a law other than CEQA requires public notice when the City later proposes to carry out or approve

an activity within the program and to rely on the program EIR for CEQA compliance, the notice for the activity shall include a statement that:

(i) This activity is within the scope of the program approved earlier, and

(ii) The program EIR adequately describes the activity for the purpose of CEQA.

12. Federal Projects

(a) When an EIR is required by CEQA and a federal EIS has been or will be prepared for the same project, all or any part of the EIS may be used as all or any part of the EIR if the EIS or part used complies with these Guidelines. In cases where a Federal EIS is used, discussion of mitigation measures, growth-inducing impact, and energy conservation will have to be added or supplemented if the EIS does not include an adequate discussion of these elements.

(b) When a project requires both an EIR and an EIS, the Lead Agency shall, whenever possible, use the EIS as the EIR as provided in Subsection (a).

(c) If the City finds that an EIS for a project would not be prepared by the federal agency by the time the City will need to consider an EIR, the City should try to prepare a combined EIR-EIS. To avoid the need for the federal agency to prepare a separate document for the same project, the City must involve the federal agency in the preparation of the EIR-EIS. This involvement is necessary because federal law generally prohibits a federal agency from using an EIR prepared by a state or local agency unless the federal agency was involved in the preparation of the document.

(d) When it plans to use an EIS or prepare a joint EIR-EIS, the City shall consult as soon as possible with the agency that would prepare the EIS.

(e) Where a project will be subject to both CEQA and the National Environmental Policy Act, the one-year time limit and the 105-day time limit may be waived as provided for herein.

(f) Where the federal agency circulated the EIS for public review as broadly as state or local law may require and gave notice meeting the standards in Section VI.A.5., the City under CEQA need not recirculate the EIS for public review. One review and comment period is enough. The City shall give notice that it will use the EIS in the place of an EIR and that it believes that the EIS meets the requirements of CEQA.

(g) The City should cooperate with federal agencies to the fullest extent possible to reduce duplication between the California Environmental Quality Act and the National Environmental Policy Act. Such cooperation should, to the fullest extent possible, include:

(i) Joint planning process,

(ii) Joint environmental research and studies,

(iii) Joint public hearings, and

(iv) Joint environmental documents.

E. Process for a Responsible Agency

1. General. A Responsible Agency complies with CEQA by considering documents prepared by the Lead Agency and by reaching its own conclusions on whether and how to approve the project involved. This section identifies the special duties an agency will have when acting as a Responsible Agency.

2. Response to Consultation. A Responsible Agency shall respond to consultation by the Lead Agency in order to assist the Lead Agency in preparing adequate environmental documents for the project. By this means, the Responsible Agency will ensure that the documents it will use will comply with CEQA.

(a) In response to consultation, a Responsible Agency shall explain its reasons for recommending whether the Lead Agency should prepare an EIR or Negative Declaration for a project. Where the Responsible Agency disagrees with the Lead Agency's proposal to prepare a Negative Declaration for a project, the Responsible Agency should identify the significant environmental effects which it believes could result from the project and recommend either that an EIR be prepared or that the project be modified to eliminate the significant effects.

(b) As soon as possible, but not longer than 45 days after receiving a Notice of Preparation from the Lead Agency, the Responsible Agency shall send a written reply by certified mail. The reply shall specify the scope and content of the environmental information which would be germane to the Responsible Agency's statutory responsibilities in connection with the proposed project. The Lead Agency shall include this information in the EIR.

3. Meetings. The Responsible Agency shall designate employees or representatives to attend meetings requested by the Lead Agency to discuss the scope and content of the EIR.

4. Comments on Draft EIRs and Negative Declarations. A Responsible Agency should review and comment on Draft EIRs and Negative Declarations for projects which the Responsible Agency would later be asked to approve. Comments should focus on any shortcomings in the EIR, the appropriateness of using a Negative Declaration, or on additional alternatives or mitigation measures which the EIR should include. The comments may deal with any aspect of the project or its environmental effects. Comments should be as specific as possible.

5. Decision on Adequacy of EIR or Negative Declaration. If a Responsible Agency believes that the Final EIR or Negative Declaration prepared by the Lead Agency is not adequate for use by the Responsible Agency,

the Responsible Agency must either:

(a) Take the issue to court within 30 days after the Lead Agency files a Notice of Determination,

(b) Be deemed to have waived any objection to the adequacy of the EIR or Negative Declaration, or

(c) Prepare a subsequent EIR if permissible pursuant to Section V.D.2.

6. Consider the EIR or Negative Declaration. Prior to reaching a decision on the project, the Responsible Agency must consider the environmental effects of the project as shown in the EIR or Negative Declaration. A new or supplemental EIR can be prepared only as provided in Section V.D.2.

7. Adoption of Alternatives or Mitigation Measures. When an EIR has been prepared for a project, the Responsible Agency shall not approve the project as proposed if the agency finds any feasible alternative or feasible mitigation measure within its powers that would substantially lessen any significant effect the project would have on the environment. When considering alternatives and mitigation measures, a Responsible Agency is more limited than a Lead Agency. In deciding whether to carry out, finance, or approve a project, a Responsible Agency has responsibility for mitigating or avoiding only the environmental effects of those activities which are within the scope of its statutory authority.

8. Findings. The Responsible Agency shall make the findings required by Subsection VI.C.6. for each significant effect of the project and shall make the findings in Subsection VI.C.4. if necessary.

9. Notice of Determination. The Responsible Agency should file a Notice of Determination in the same manner as a Lead Agency under Subsection V.C.2. or Subsection VI.C.5.

F. Lead Agency Principle

1. General Provisions

(a) Where a project is to be carried out or approved by the City and one or more public agencies, the City or one of the other public agencies shall be responsible for preparation of environmental documents, and will be the Lead Agency. Such environmental documents will be prepared by the Lead Agency in consultation with all Responsible Agencies.

(b) The Lead Agency's environmental documents shall be the environmental documentation for all Responsible Agencies. Except as provided in Section V.D.8.(c), such Responsible Agencies shall consider the Lead Agency's EIR or Negative Declaration prior to acting upon or approving the projects, and they shall certify that their decision-making bodies have reviewed and considered the information contained in them.

(c) The determination of the Lead Agency of whether to prepare an Environmental Impact Report or a Negative Declaration shall be final and conclusive on all persons, including Responsible Agencies, as provided by Section 21080.1 of the Public Resources Code, unless:

(i) The decision is challenged as provided in Section 21167 of the Public Resources Code, or

(ii) Circumstances change as provided in Section V.D.2.

(d) Where a decision-making body has power to make a final decision on a project subject to appeal to another body, the decision-making body shall review and consider the EIR. The appeal body shall also review and consider the EIR before deciding an appeal from a decision on the project.

2. Lead Agency Criteria. Where the City and one or more public agencies are involved with a project, which agency shall be the Lead Agency shall be determined by the following principles:

(a) If the project is to be carried out by a public agency, the Lead Agency shall be the public agency which proposes to carry out the project.

(b) If the project is to be carried out by a nongovernmental person, the Lead Agency shall be the public agency with the greatest responsibility for supervising or approving the project as a whole.

(i) The Lead Agency will generally be the agency with general governmental powers rather than an agency with a single or limited purpose which is involved by reason of the need to provide a public service or public utility to the project; in such cases, the single-or-limited-purpose agency will, upon request, provide data concerning all aspects of its activities required to furnish service to the project to the agency drafting the EIR and no separate EIR will be required in regard to such activities.

(ii) Where the City has prezoned an area, the City will be the appropriate Lead Agency for any subsequent annexation of the area and should prepare the required environmental document at the time of the prezoning. The City shall consult with the Stanislaus County Local Agency Formation Commission (LAFCO), which shall be a Responsible Agency, and the EIR shall include the comments of LAFCO.

(c) Where more than one public agency equally meets the criteria set forth in paragraph (b) above, the agency which is to act first on the project in question shall be the Lead Agency (following the principle that the environmental impact should be assessed as early as possible in governmental planning).

(d) Where the provisions of Subsections (a), (b), and (c) leave two

or more public agencies with a substantial claim to be the Lead Agency, the public agencies may by agreement designate which agency will be the Lead Agency. An agreement may also provide for cooperative efforts by two or more agencies, joint exercise of powers, or similar devices.

3. Shift in Lead Agency Responsibilities

(a) Where a Responsible Agency is called on to grant an approval for a project subject to CEQA for which another public agency was the appropriate Lead Agency, the Responsible Agency shall begin to act as the Lead Agency when any of the following conditions occur:

(i) The Lead Agency did not prepare any environmental documents for the project, and the statute of limitations has expired for a challenge to the action of the appropriate Lead Agency.

(ii) The Lead Agency prepared environmental documents for the project, but the following conditions occur:

(aa) A subsequent EIR is required pursuant to Section V.D.2.,

(ab) The Lead Agency has granted a final approval for the project, and

(ac) The statute of limitations for challenging the Lead Agency's action under CEQA has expired.

(iii) The Lead Agency prepared inadequate environmental documents without consulting with the Responsible Agency as required herein and the statute of limitations has expired for a challenge to the action of the appropriate Lead Agency.

(b) When a Responsible Agency assumes the duties of a Lead Agency under this section, the time limits applicable to a Lead Agency shall apply to the actions of the agency.

4. Designation of Lead Agency by Office of Planning and Research

(a) In the event that the designation of a Lead Agency is in dispute, the following criteria shall apply:

(i) The City and other public agencies should consult with each other in an effort to resolve the dispute prior to submitting it to OPR.

(ii) If an agreement cannot be reached, the City, and any public agency, or in appropriate case, the applicant for the project, may submit the dispute to the OPR for resolution.

SECTION VI. ENVIRONMENTAL IMPACT REPORTS, TIMING, FEES

A. General

Section V outlines the preliminary steps that must be taken prior to the submission of a Draft EIR.

Section VII specifies the required contents of a Draft EIR and a Final EIR.

B. Processing of Draft EIR

1. Draft EIR Preparation

(a) The City shall prepare the Draft EIR. For projects defined at Subsection II.X(a)3 (activities involving the issuance of a license or permit by public agencies), the applicant shall deposit with the City Director of Finance such fees as are authorized by Subsection VI.D. Preparation of the Draft EIR will then be initiated. Failure to deposit fees within 180 days of the completion of the Initial Study as specified at Subsection V.C.2. invalidates the Initial Study, and the applicant must file a subsequent Environmental Information Form and deposit the appropriate fees to reinitiate the review process as described in Section V.

(b) After determining that an EIR will be required for a project, the City shall send a Notice of Preparation to each Responsible Agency and Trustee Agency responsible for resources affected by the project, and shall consult with the Responsible and Trustee Agencies as required by Section 2, below.

(c) Prior to completing the Draft EIR, the City should also consult directly with any person or organization it believes will be concerned with the environmental effects of the project.

(d) For projects where federal involvement might require preparation of a federal EIS, the City shall consult with the appropriate federal agencies. If both an EIR and EIS are needed, the documents should be prepared jointly where federal regulations or procedures allow. Preparation of a separate EIR and EIS for the same project should be avoided, if possible.

2. Responsible and Trustee Agencies

(a) Immediately after deciding that an environmental impact report is required for a project, the Lead Agency shall send to each Responsible Agency a Notice of Preparation stating that an environmental impact report will be prepared. This notice shall also be sent to every federal agency involved in approving or funding the project, and to those Trustee Agencies responsible for natural resources affected by the project.

(b) When one or more state agencies will be a Responsible Agency, the City shall send a Notice of Preparation to each state Responsible Agency and each Trustee Agency, with a copy to the State Clearinghouse in the Office of Planning and Research.

When the Notice of Preparation is submitted to the State Clearinghouse, the state identification number issued by the Clearinghouse shall be the identification number for all subsequent environmental documents on the project. The identification number should be referenced on all subsequent correspondence regarding the project.

(c) Where a state agency is a Responsible agency or otherwise has jurisdiction by law with respect to the project, where a Draft EIS is prepared pursuant to NEPA or the Federal Guidelines, or where a state agency has special expertise with regard to the environmental impacts involved, the City shall also submit copies of the Draft EIR or Draft EIS to the State Clearinghouse for review. The number of copies of a Draft EIR submitted to the State Clearinghouse shall not be less than ten (10) unless the State Clearinghouse approves a lesser number in advance.

(d) The Notice of Preparation shall provide the Responsible and Trustee Agencies with sufficient information describing the project and the environmental effects to enable the Responsible and Trustee Agencies to make a meaningful response. At a minimum, the information should include:

(i) Description of the project;

(ii) Location of the project indicated either on an attached map, or by a street address in an urbanized area; and

(iii) Probable environmental effects of the project.

(e) A sample format for a Notice of Preparation is shown in Exhibit G. A copy of the Initial Study may be sent with the notice to supply the necessary information.

(f) The City may begin work on the Draft EIR immediately without awaiting responses to the Notice of Preparation. The Draft EIR may need to be revised or expanded to conform to responses to the Notice of Preparation.

(g) To send copies of the Notice of Preparation, the City shall use either certified mail or any other method of transmittal which provides it with a record that the Notice was received.

3. Notice of Completion and Review of Draft EIR

After a Draft EIR has been approved as complete by the Environmental Assessment Committee, the City shall, within 7 days, file a Notice of Completion of Draft EIR (Exhibit E) with the Secretary of the California Resources Agency.

Where the EIR will be reviewed through the state review process handled by the State Clearinghouse, the cover form required by the State Clearinghouse will serve as the Notice of Completion, and no Notice of Completion need be sent to the Resources Agency.

After completing a Draft EIR, the City shall consult with and obtain comments from public agencies having jurisdiction by law with respect to the project, and should consult with persons having special expertise with respect to any environmental impact involved.

The City shall provide the general public with an opportunity to comment on the Draft EIR, and shall provide public notice of the completion of a Draft EIR at the same time as it sends a Notice of Completion to the Resources Agency. Notice shall be given to all organizations and individuals who have previously requested such notice and shall also be given once by publication by the City in a newspaper of general circulation in the area affected by the proposed project.

4. Distribution of Draft EIR

Distribution of copies of Draft EIR shall be made as follows:

(a) Three copies shall be filed with the City Clerk for the official record and general public review.

(b) One copy shall be sent to the person or public agency who submitted the project.

(c) One copy shall be sent to each person and public agency designated by the Environmental Assessment Committee based on the list attached to the Draft EIR.

(d) One copy shall be sent to each of those Responsible Agencies, if any, who shall file written comments on the Draft EIR with the City Clerk or designated contact person for the City.

(e) Two copies shall be sent to the Modesto-Stanislaus County Library.

(f) Whenever a project is determined to be of statewide, regional or areawide significance (Section V.D.1.), one copy shall be sent to SAAG and another to the State Office of Planning and Research.

5. Public Review of Draft EIR

The public shall have 30 days from the date of publication of a Notice of Completion of Draft EIR to submit written comments on Draft EIR to the City Clerk or designated contact person for the City, except that where a state agency is a Responsible Agency, the public and any Responsible Agency shall have forty-five (45) days to submit such comments. The City shall evaluate comments received and prepare a Final EIR.

C. Processing of Final EIR

1. Distribution of Final EIR

Distribution of copies of the Final EIR shall be made as follows:

(a) One copy shall be filed with the City Clerk for the official record and for public inspection.

(b) One copy shall be sent to the person or public agency who submitted the project.

(c) Copies shall be presented to the City Council, Board of Zoning Adjustment, or Planning Commission, whichever is the decision-making body for the project.

(d) One copy shall be sent to the State Office of Planning and Research, if the Draft EIR was also referred to that office. (Subsection 4 (f) above).

2. Public Hearing

The decision-making body for the project may determine a public hearing is desirable, prior to the certification of Final EIR, in order to assure adequate public participation in the evaluation of a project.

3. Certification

The decision-making body shall certify the Final EIR and consider the contents thereof when it makes a decision on a project. Certification shall occur within one year of acceptance of an application as complete, unless conditions exist for waiver or extension of the one year time period.

4. Statement of Overriding Considerations

(a) CEQA requires the decision maker to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. Where agencies have taken action resulting in environmental damage without explaining the reasons which supported the decision, courts have invalidated the action.

(b) Where the decision of the City allows the occurrence of significant effects identified in the Final EIR without mitigation, the City must state in writing the reasons to support its action based on the Final EIR and other information in the record. This statement may also be necessary if the City makes findings under Subsection 6(a)(ii) or 6(a)(iii), below.

(c) If the City makes a statement of overriding considerations, the statement should be included in the record of the project approval and in the Notice of Determination as required in Subsection 6, below.

5. Filing Notice

After making a decision on the project, the City shall file a Notice of Determination (Exhibit F) with the Stanislaus County Clerk. If the project requires discretionary approval from a State Agency,

the Notice shall also be filed with the Secretary for Resources. Such notice shall include:

(a) An identification of the project by its common name, where possible;

(b) A brief description of the project, including its specific location;

(c) The decision of whether the project was approved or disapproved, and the date of approval or disapproval;

(d) The determination of whether the project in its approved form will have a significant effect on the environment;

(e) A statement that a Final EIR was prepared pursuant to these Guidelines and the California Environmental Quality Act and certified by the decision-making body;

(f) Whether Mitigation Measures were made a condition of approval of the project;

(g) Whether a Statement of Overriding Consideration was adopted for the project;

(h) The address where a copy of the EIR and the record of project approval may be examined.

6. Findings

(a) If the Environmental Impact Report identifies one or more significant effects of the project the Notice of Determination shall include one or more of the following written findings for each of those significant effects, accompanied by a statement of the facts supporting each finding. These findings shall be supported by substantial evidence in the record.

(i) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects thereof as identified in the Final EIR.

(ii) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

(iii) Specific economic, social, or other considerations make unfeasible the mitigation measures or project alternatives identified in the Final EIR.

D. Fees

1. The City may charge fees, as established from time to time by resolution of the City Council, to recover the estimated costs

incurred by the City in preparing EIRs and Negative Declarations, and may require advance deposits of such fees.

2. The City may charge a reasonable fee to members of the public for a copy of an environmental document, not to exceed the actual cost of reproducing the copy.

SECTION VII. CONTENTS OF ENVIRONMENTAL IMPACT REPORTS

The preparation of an Environmental Impact Report consists of a two-step process: A draft EIR and Final EIR.

A. General

1. The EIR shall emphasize study of the impacts determined to be significant and can omit further examination of those impacts found to be clearly insignificant in the Initial Study.

2. Environmental Impact Reports shall contain the information outlined in this section. Each element must be covered, and when these elements are not separated into distinct sections, the document shall state where in the document each element is discussed.

3. Each report shall contain a brief summary of the proposed action and its consequences in language sufficiently simple that the issues can be understood by the average member of the lay public. The EIR shall also contain a table of contents or an index. The summary shall stress the major conclusions, areas of controversy, and the issues to be resolved. The summary should normally not exceed fifteen (15) pages.

4. The information contained in an EIR shall include summarized technical data, maps, plot plans, diagrams and similar relevant information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public. Placement of highly technical and specialized analysis and data in the body of an EIR should be avoided through inclusion of supporting information and analyses as appendices to the main body of the EIR. Appendices to the EIR may be prepared in volumes separate from the basic EIR document, but shall be available for public examination and shall be submitted to all clearinghouses which assist in public review.

5. The EIR should be prepared using a systematic, interdisciplinary approach. The interdisciplinary analysis shall be conducted by competent individuals, but no single discipline shall be designated or required to undertake this evaluation. Preparation of EIRs is dependent upon information from many sources, including the engineering project report and many scientific documents relating to environmental features. The EIR shall reference all documents used in its preparation including where possible, a citation to the page and section number of any technical reports which were used as the basis for any statements in the EIR.

6. The EIR should discuss environmental effects in proportion to their severity and probability of occurrence. Effects dismissed in an

Initial Study as clearly insignificant and unlikely to occur need not be discussed further in the EIR unless the City subsequently receives information inconsistent with the finding in the Initial Study. A copy of the Initial Study shall be attached to the EIR to provide the basis for limiting the impacts discussed.

7. An EIR shall contain a statement briefly indicating the reasons for determining that various effects of a project that could possibly be considered significant were not found to be significant and consquently were not discussed in detail in the EIR.

8. Drafting an EIR necessarily involves some degree of forecasting. While foreseeing the unforeseeable is not possible, an agency must use its best efforts to find out and disclose all that it reasonably can.

9. If, after thorough investigation, the City finds that a particular impact is too speculative for evaluation, the City should note its conclusion and terminate discussion of the impact.

10. Incorporation by Reference.

    (a) An EIR may incorporate by reference all or portions of another document which is a matter of public record or is generally available to the public. Where all or part of another document is incorporated by reference, the incorporated language shall be considered to be set forth in full as part of the text of the EIR.

    (b) Where part of another document is incorporated by reference, such other document shall be made avaialble to the public for inspection at a public place or public building. The EIR shall state where the incorporated documents will be available for inspection. At a minimum, the incorporated document shall be made available to the public in the office of the Director of Planning and Community Development.

    (c) Where an EIR uses incorporation by reference, the incorporated part of the referenced document shall be briefly summarized where possible or briefly described if the data or information cannot be summarized. The relationship between the incorporated part of the referenced document and the EIR shall be described.

    (d) Where the City incorporates information from an EIR that has previously been reviewed through the state review system, the state identification number of the incorporated document should be included in the summary or designation described in Subsection (c).

11. The text of draft environmental impact reports shall normally be less than 150 pages and for proposals of unusual scope or complexity should normally be less than 300 pages.

B. Contents of Draft EIR

A draft EIR shall contain the following information:

1. Description of Project

The description of the project shall contain the following information, but should not supply extensive detail beyond that needed for evaluation and review of the environmental impact.

(a) The precise location and boundaries of the proposed project shall be shown on a detailed map, preferably topographic. The location of the project shall also appear on a regional map.

(b) A statement of the objectives sought by the proposed project.

(c) A general description of the project's technical, economical and environmental characteristics, considering the principal engineering proposals and including a description of supporting public service facilities.

2. Description of Environmental Setting

An EIR must include a description of the environment in the vicinity of the project, as it exists before commencement of the project, from both a local and regional perspective. Knowledge of the regional setting is critical to the assessment of environmental impacts. Special emphasis should be placed on environmental resources that are rare or unique to that region. Specific reference to related projects, both public and private, both existent and planned, in the region, should also be included, for purposes of examining the possible cumulative impact of such projects.

The EIR must discuss any inconsistencies between the proposed project and the General Plan and applicable regional plans.

The EIR must describe water quality aspects of the proposed project which have been previously certified by the appropriate state or interstate organization as being in substantital compliance with applicable water quality standards.

3. Environmental Impact

All phases of a project must be considered when evaluating its impact on the environment: planning, acquisition, development and operation. The following subjects shall be discussed, preferably in separate sections or paragraphs. If they are not discussed separately, the EIR shall include a table showing where each of the subjects is discussed.

(a) The Significant Environmental Effects Of The Proposed Project. Describe the direct and indirect significant effects of the project on the environment giving due consideration to both the short-term and long-term effects. It should include relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems and

changes induced in population distribution, population concentration, the human use of the land (including commercial and residential development) and other aspects of the resource base such as water, scenic quality and public services. Cumulative effects shall also be discussed when found to be significant.

(b) Any Significant Environmental Effects Which Cannot Be Avoided If The Proposal Is Implemented. Describe any significant impacts, including those which can be reduced to an insignificant level but not eliminated. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, notwithstanding their effect, should be described. Describe significant impacts on any aesthetically valuable surroundings, or on human health.

(c) Mitigation Measures Proposed To Minimize The Significant Effects. Describe significant, avoidable, adverse impacts, including inefficient and unnecessary consumption of energy, and measures to minimize these impacts. The discussion of mitigation measures shall distinguish between the measures which are proposed by project proponents to be included in the project and other measures that are not included but could reasonably be expected to reduce adverse impacts. This discussion shall include an identification of the acceptable levels to which such impacts will be reduced, and the basis upon which such levels were identified. Where several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified. Energy conservation measures, as well as other appropriate mitigation measures, shall be discussed when relevant. Examples of energy conservation measures are provided in Appendix H.

(d) Alternatives To The Proposed Action. Describe all reasonable alternatives to the project, or to the location of the project, which could feasibly attain the basic objectives of the project, and why they were rejected in favor of the ultimate choice. The specific alternative of "no project" must also always be evaluated, along with the impact. The discussion of alternatives shall include alternatives capable of substantially reducing or eliminating any significant environmental effects, even if these alternatives substantially impede the attainment of the project objectives, and are more costly. If the environmentally superior alternative is the "no project" alternative, then the EIR shall also identify an environmentally superior alternative among the other alternatives.

(e) The Relationship Between Local Short-Term Uses of Man's Environment and the Maintenance and Enhancement of Long-Term Productivity. Describe the cumulative and long-term effects of the proposed project which adversely affect the state of the environment. Special attention should be given to impacts which narrow the range of beneficial uses of the environment or pose long-term

risks to health or safety. In addition, the reasons why the proposed project is believed by the applicant to be justified now, rather than reserving an option for further alternatives, should be explained.

(f) Any Significant Environmental Changes Which Would Be Involved In The Proposed Action Should It Be Implemented. Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a nonaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

(g) The Growth-Inducing Impact Of The Proposed Action. Discuss the ways in which the proposed project could foster economic or population growth, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a wastewater treatment plant might, for example, allow for more construction in service areas). Increases in the population may further tax existing community service facilities, so consideration must be given to this impact. Also discuss the characteristics of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

(h) Limitations on Discussion of Environmental Impacts. The information required by Subsections 3(e) and 3(f) need be included only in EIRs prepared in connection with any of the following activities:

(i) The adoption, amendment, or enactment of a plan, policy, or ordinance of the City;

(ii) The adoption by the Stanislaus County Local Agency Formation Commission or a resolution making determinations;

(iii) A project which will be subject to the requirement for preparing an Environmental Impact Statement pursuant to the requirements of the National Environmental Policy Act of 1969.

4. Effects Found Not To Be Significant

An EIR shall contain a statement briefly indicating the reasons that various possibly significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR. Such a statement may be contained in an attached copy of an Initial Study Findings.

5. Organizations and Persons Consulted

The identity of all federal, state or local agencies, other organizations and private individuals consulted in preparing the Draft EIR, and the identity of the person, firm or agency preparing the Draft EIR, by contract or other authorization, must be given.

6. Initial Study and Findings

Exhibits B, C, and D shall be attached as an Appendix, as part of the Draft EIR.

C. Contents of Final EIR

1. The Final EIR shall consist of:

(a) The Draft EIR or a revision of the draft;

(b) Comments and recommendations received on the Draft EIR either verbatim or in summary;

(c) A list of persons, organizations and public agencies commenting on the Draft EIR;

(d) The responses of the City to significant environmental points raised in the review and consultation process.

2. The response of the City to comments received may take the form of a revision of the Draft EIR or may be an attachment to the Draft EIR. The response shall describe the disposition of significant environmental issues raised (e.g. revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major issues raised when the City's position is at variance with recommendations and objections raised in the comments, must be addressed in detail giving reasons why specific comments and suggestions were not accepted, and factors of overriding importance warranting rejection of the suggestions.

3. Comments on Draft EIRs received either through the review process or independently shall be kept on file in the office of the City Clerk, City Hall, 801 Eleventh Street, Modesto, California, for a reasonable period of time and made available for public inspection at said office. A notice of the availability of such comments for inspection shall be included in Final EIR.

EXHIBIT A

Filed with Stanislaus
County Clerk

City of Modesto

NOTICE OF EXEMPTION

To: Stanislaus County Clerk

From: City of Modesto

Subject: Notice of Exemption from Environmental Assessment. E. A. No._____

_____
Project Title

_____
Contact Person Telephone Number

_____
Project Location

_____
Project Description

_____

This is to advise that the City of Modesto has determined that the above described project is exempt from environmental assessment

Exempt Status: (Check one)

_____ Statutory Exemption (Sections III F through III I) State specific section and title: _____

_____ Categorical Exemption (Section III J) State class number and title:_____

_____
Reason why project is exempt:

_____
SIGNATURE

Date Received for Filing

_____
TITLE

_____
DATE

180/000-00105-4/7/81

City of Modesto
ENVIRONMENTAL INFORMATION FORM

EXHIBIT B

Date filed
with EAC
Secretary_____

GENERAL INFORMATION

1. Type of Project:_____

_____

2. Name, address and telephone number of developer or project sponsor:_____

_____

_____

3. Address or location of project:_____

_____

4. Name, address and telephone number of owner:_____

_____

_____

5. List and describe any permits and other public approvals required for this project by County, State and Federal agencies:_____

_____

_____

PROJECT DESCRIPTION (Supplemental pages should be added where additional space is required to adequately answer items 7 thru 25. If item does not apply, indicate by N/A)

6. Attach plot plan. (May include information required by Items 8 thru 15)
7. Site Size.
8. Square footage of buildings or structures.
9. Number of floors of construction.
10. Amount of off-street parking provided.
11. Anticipated incremental development.
12. If residential, include the number of units, schedule of unit sizes by bedrooms.
13. If commercial, indicate the use.
14. If industrial, indicate type or character of products or use.
15. If institutional, indicate the major function.

Are the following items applicable to the project or its effects? Discuss all items checked yes (Use supplemental pages as required).

Yes	No		
___	___	16.	Project is within 200 feet of Dry Creek or the Tuolumne River or is located, entirely or in part, within a Designated Floodway as determined by the State Reclamation Board.
___	___	17.	Project changes character from that identified in the Urban Area General Plan.
___	___	18.	Project produces significant amounts of solid waste or litter.
___	___	19.	Project produces dust, ash, smoke, fumes or odors in vicinity.
___	___	20.	Project produces changes in existing noise or vibration levels in the vicinity.
___	___	21.	Project produces changes in stream or ground water quality or quantity, or alteration of existing drainage patterns.
___	___	22.	Site on filled land or on slope of 10 percent or more.
___	___	23.	Use or disposal of potentially hazardous materials, such as toxic substances, flammables or explosives.
___	___	24.	Change in demand for public services (police, fire, water, sewage, schools, etc.) from that anticipated by Urban Area General Plan.
___	___	25.	Related to a larger project or series of projects.

ENVIRONMENTAL SETTING (Attach additional pages as necessary)

26. Describe the project site as it exists before the project. Describe any existing structures on the site, and the use of the structures. Photographs of the site may be used to supplement descriptions. Snapshots or polaroid photos will be accepted.

27. Describe the surrounding zoning and land use.

CERTIFICATION: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

Date_____

_____
(Signature)

I. General Questions and Mandatory Findings of Significance.

This section identifies the project's consistency with the General Plan and determines whether mandatory findings of significance will be necessary. Yes or Maybe answers to Question 2 require preparation of an Environmental Impact Report or a Negative Declaration with Explanation.

	Yes	Maybe	No
1. Land Use			
a. Does the project involve a substantial change or alteration from planned land use as set forth in the General Plan or adopted zoning and development policy?	___	___	___
b. Could the project have a significant adverse impact on the functioning of the neighborhood in which it is located?	___	___	___
c. Could the project result in significant growth beyond the Modesto Urban Area General Plan?	___	___	___
2. Mandatory Findings of Significance			
a. Does the project have the potential to degrade the quality of the environment, or curtail the diversity of species or habitats in the environment?	___	___	___
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	___	___	___
c. Does the project have impacts which are individually limited, but cumulatively considerable?	___	___	___
d. Does the project have environmental effects which will cause substantial adverse effects on people, either directly or indirectly?	___	___	___

II. Environmental Impacts Beyond that Anticipated by Development in Accordance with the General Plan

The Environmental Assessment requires consideration of impacts in the following areas: Earth, Air, Water, Plant Life, Animal Life, Noise, Light and Glare, Natural Resources, Hazard, Population, Housing, Transportation/Circulation, Public Services, Energy, Utilities, Health, Aesthetics, Recreation, Archeological/Historical. The potential impacts on each of these areas is considered by the Environmental Assessment Committee in responding to the following question:

Will the project have significant impacts in any of the above listed areas?	___	___	___

If the answers to any of the questions in Sections I or II are yes or maybe, pages 3-6 are attached to clarify those answers and the concerns of the Committee arising from the Project Description.

All projects are tested against the Modesto Urban Area General Plan. Thus potential adverse impacts identified by "yes" and "maybe" checks are impacts over and above those which might result from a project which is fully consistent with the General Plan.

	Yes	Maybe	No
1. Earth. Will the project significantly result in:			
a. The destruction, covering or modification of any unique geologic or physical features?	___	___	___
b. The increase in wind or water erosion of soils, either on or off the site?	___	___	___
c. Changes in siltation or deposition which may modify the channel of a river or stream?	___	___	___
2. Air. Will the project significantly result in:			
a. Air emissions or deteriorations of ambient air quality?	___	___	___
b. The creation of objectionable odors?	___	___	___
3. Water. Will the project significantly result in:			
a. Changes in absorption rates, drainage patterns or the rate and amount of surface water runoffs?	___	___	___
b. Alterations to the course or flow of flood waters?	___	___	___
c. Discharge into surface waters, or the alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?	___	___	___
d. Change in the quantity or quality of ground waters, either through direct additions or withdrawals?	___	___	___
4. Plant Life. Will the project significantly result in:			
a. Reduction of the numbers of any unique, rare or endangered species of plants?	___	___	___
b. Reduction in acreage of any agricultural crop?	___	___	___
5. Animal Life. Will the project significantly result in:			
a. Reduction of the numbers of any unique, rare or endangered species of animals?	___	___	___
b. Deterioration to existing fish or wildlife habitat?	___	___	___

Questions are tested against General Plan Standards. Yes and maybe answers suggest environmental impacts beyond those anticipated by the General Plan.

	Yes	Maybe	No
6. Noise. Will the project significantly increase existing noise levels or result in exposure of people to severe noise levels?	—	—	—
7. Light and Glare. Will the project produce unusual light and glare?	—	—	—
8. Natural Resources. Will the project result in:			
a. Significant increase in the rate of use of any natural resources?	—	—	—
b. Significant depletion of any nonrenewable natural resources?	—	—	—
9. Hazard. Will the project involve:			
a. A risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions?	—	—	—
b. Possible interference with an emergency response or evacuation plan?	—	—	—
10. Population. Will the project significantly alter the location, distribution, density, or growth rate of the population of an area?	—	—	—
11. Housing. Will the project significantly affect existing housing, or create a demand for additional housing?	—	—	—
12. Transportation/Circulation. Will the project result in significant:			
a. Generation of additional vehicular movement?	—	—	—
b. Impact on existing parking facilities, or demand for new parking?	—	—	—
c. Impact upon existing transportation systems?	—	—	—
d. Alterations to present patterns of circulation or movement of people and/or goods?	—	—	—
e. Alterations to rail or air traffic?	—	—	—
f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians?	—	—	—

Questions are tested against General Plan Standards. Yes and maybe answers suggest environmental impacts beyond that anticipated by the General Plan.

	Yes	Maybe	No
13. Public Services. Will the project have a significant effect upon, or result in a need for significantly new or altered governmental services in any of the following areas:			
a. Fire protection?	___	___	___
b. Police protection?	___	___	___
c. Schools?	___	___	___
d. Parks or other recreational facilities?	___	___	___
e. Maintenance of public facilities?	___	___	___
f. Other governmental services?	___	___	___
14. Energy. Will the project result in:			
a. Use of substantial amounts of fuel or energy?	___	___	___
b. Substantial demand upon existing sources of energy, or require the development of new sources of energy?	___	___	___
15. Utilities. Will the project result in a significant need for new systems, or alterations to the following utilities:			
a. Power or natural gas?	___	___	___
b. Communications systems?	___	___	___
c. Water?	___	___	___
d. Sewer or septic tanks?	___	___	___
e. Storm water drainage?	___	___	___
f. Solid waste and disposal?	___	___	___
16. Health. Will the project result in the creation of any health hazard or potential health hazard or exposure of people to potential health hazards?	___	___	___
17. Aesthetics. Will the project adversely affect an area of important aesthetic value?	___	___	___
18. Recreation. Will the project result in an impact upon the quality of quantity of existing recreational facilities?	___	___	___

Questions are tested against General Plan Standards. Yes and maybe answers suggest environmental impacts beyond that anticipated by the General Plan.

	Yes	Maybe	No
19. Archeological/Historical. Will the project result in an alteration of a significant archeological or historical site, structure, object or building?	___	___	___

Questions are tested against General Plan Standards. Yes and maybe answers suggest environmental impacts beyond that anticipated by the General Plan.

III. DISCUSSION OF ENVIRONMENTAL EVALUATION

ENVIRONMENTAL ASSESSMENT COMMITTEE
INITIAL STUDY FINDINGS

Type of Project:

Location:

Brief Description of Proposed Project:

E. A. No._____

Findings:

☐ Negative Declaration - The project will not have a significant effect on the environment.

☐ Negative Declaration - Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because of the mitigation measures or explanation given on the attached sheet.

☐ EIR Required - - - - - The project may have a significant effect on the environment and an Environmental Impact Report is required.

Public Response to Negative Declaration:
The Environmental Assessment Committee prepares the Initial Study, copies of which may be obtained from the City Clerk, City of Modesto. Anyone wishing to respond to the finding of a negative declaration may do so within 15 days of the date of the filing of these Findings with the Stanislaus County Clerk. This response must be in writing and filed with the City Clerk, City of Modesto, P. O. Box 642, Modesto, CA 95353, and shall name the project as above and the date of filing these findings with the Stanislaus County Clerk.

CITY OF MODESTO ENVIRONMENTAL ASSESSMENT COMMITTEE:

_____
Ross Campbell, Director of Public Works, Chairman

_____
William Nichols, Director of Planning, Secretary

_____
George Eiser, Assistant City Attorney

_____
James Mankin, Director of Environmental Health Date:_____

Rev. 2/5/80

EXHIBIT E

State of California
The Resources Agency
SECRETARY FOR RESOURCES
1416 Ninth Street, Room 1311
Sacramento, California 95814

NOTICE OF COMPLETION
DRAFT ENVIRONMENTAL IMPACT REPORT

City: CITY OF MODESTO

Department:

Project Title:

Address: P. O. Box 642

City: Modesto

County: Stanislaus

Zip: 95353

Contact Person:

Area Code: 209

Phone:

Ext:

PROJECT DESCRIPTION

Project Location-City: Modesto

Project Location-Specific:

Project Location-County: Stanislaus

Time Period Provided for Review:

Address Where Copy of Draft EIR is Available: City Clerk, City of Modesto, P. O. Box 642, Modesto, CA 95353

City of Modesto
NOTICE OF DETERMINATION

Filed with Stanislaus County Clerk

To: 1) Secretary for Resources
1416 Ninth Street, Room 1311
Sacramento, Calif. 95814

2) Stanislaus County Clerk

From: City of Modesto

Subject: Notice of Determination, Environmental Review

E.A. No. _____

Project Title
State Clearinghouse Number (If submitted to State Clearinghouse)
Contact Person Telephone Number
Project Location
Project Description

This is to advise that the City of Modesto has made the following determinations regarding the above described project:

1. The project has been ☐ approved ☐ disapproved
Agency _____
Resolution No. _____
Date _____

2. The project ☐ will ☐ will not have a significant effect on the environment.

3. ☐ An Environmental Impact report was prepared for this project pursuant to the provisions of CEQA and was certified by the decision-making body. A copy is available for inspection in the office of Planning and Community Development, City Hall, Modesto, and in the office of the City Clerk, City Hall, Modesto.

☐ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. A copy of the Negative Declaration is available for inspection in the office of Planning and Community Development, City Hall, Modesto, and in the office of the City Clerk, City Hall, Modesto.

4. Findings of Significant Effect and Mitigating Measures
☐ Statement attached
☐ Not applicable

5. A Statement of Overriding Considerations ☐ was ☐ was not adopted for this project.

Date Received for Filing

_____
Signature

_____
Title

_____
Date

NOTICE OF PREPARATION OF DRAFT EIR

TO: _____ (Responsible Agency)

_____ (Address)

_____

FROM: City of Modesto

P. O. Box 642 (Address)

Modesto, CA 95351

The City of Modesto will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by the City when considering your permit or other approval for the project.

The project description, location and the probable environmental effects are contained in the attached materials.

Please send your response to _____ at the address shown above. We will need the name for a contact person in your agency.

PROJECT TITLE:

PROJECT APPLICANT, IF ANY:

Date _____

Signature _____

Title _____

ENERGY CONSERVATION

I. INTRODUCTION

The goal of conserving energy implies the wise and efficient use of energy. The means of achieving this goal include:

(1) decreasing overall per capita energy consumption

(2) decreasing reliance on natural gas and oil, and

(3) increasing reliance on renewable energy sources.

In order to assure that energy implications are considered in project decisions, the California Environmental Quality Act requires that EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy.

Energy conservation implies that a project's cost effectiveness be reviewed not only in dollars, but also in terms of energy requirements. For many projects, lifetime costs may be determined more by energy efficiency than by initial dollar costs.

II. EIR CONTENTS

Potentially significant energy implications of a project should be considered in an EIR. The following list of energy impact possibilities and potential conservation measures is designed to assist in the preparation of an EIR. In many instances, specific items may not apply or additional items may be needed.

A. Project Description may include the following items:

1. Energy consuming equipment and processes which will be used during construction, operation and/or removal of the project. If appropriate, this discussion should consider the energy intensiveness of materials and equipment required for the project.

2. Total energy requirements of the project by fuel type and end use.

3. Energy conservation equipment and design features.

4. Initial and life-cycle energy costs or supplies.

5. Total estimated daily trips to be generated by the project and the additional energy consumed per trip by mode.

B. Environmental Setting may include existing energy supplies and energy use patterns in the region and locality.

C. Environmental Impacts may include:

1. The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project's life cycle including construction, operation, maintenance and/or removal. If appropriate, the energy intensiveness of materials may be discussed.

2. The effects of the project on local and regional energy supplies and on requirements for additional capacity.

3. The effects of the project on peak and base period demands for electricity and other forms of energy.

4. The degree to which the project complies with existing energy standards.

5. The effects of the project on energy resources.

6. The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

D. Mitigation Measures may include:

1. Potential measures to reduce wasteful, inefficient and unnecessary consumption of energy during construction, operation, maintenance and/or removal. The discussion should explain why certain measures were incorporated in the project and why other measures were dismissed.

2. The potential of siting, orientation, and design to minimize energy consumption, including transportation energy.

3. The potential for reducing peak energy demand.

4. Alternate fuels (particularly renewable ones) or energy systems.

5. Energy conservation which could result from recycling efforts.

E. Alternatives should be compared in terms of overall energy consumption and in terms of reducing wasteful, inefficient and unnecessary consumption of energy.

F. Unavoidable Adverse Effects may include wasteful, inefficient and unnecessary consumption of energy during the project construction, operation, maintenance and/or removal that cannot be feasibly mitigated.

G. Irreversible Commitment of Resources may include a discussion of how the project preempts future energy development or future energy conservation.

H. Short-Term Gains versus Long-Term Impacts can be compared by calculating the energy costs over the lifetime of the project.

I. Growth Inducing Effects may include the estimated energy consumption of growth induced by the project.

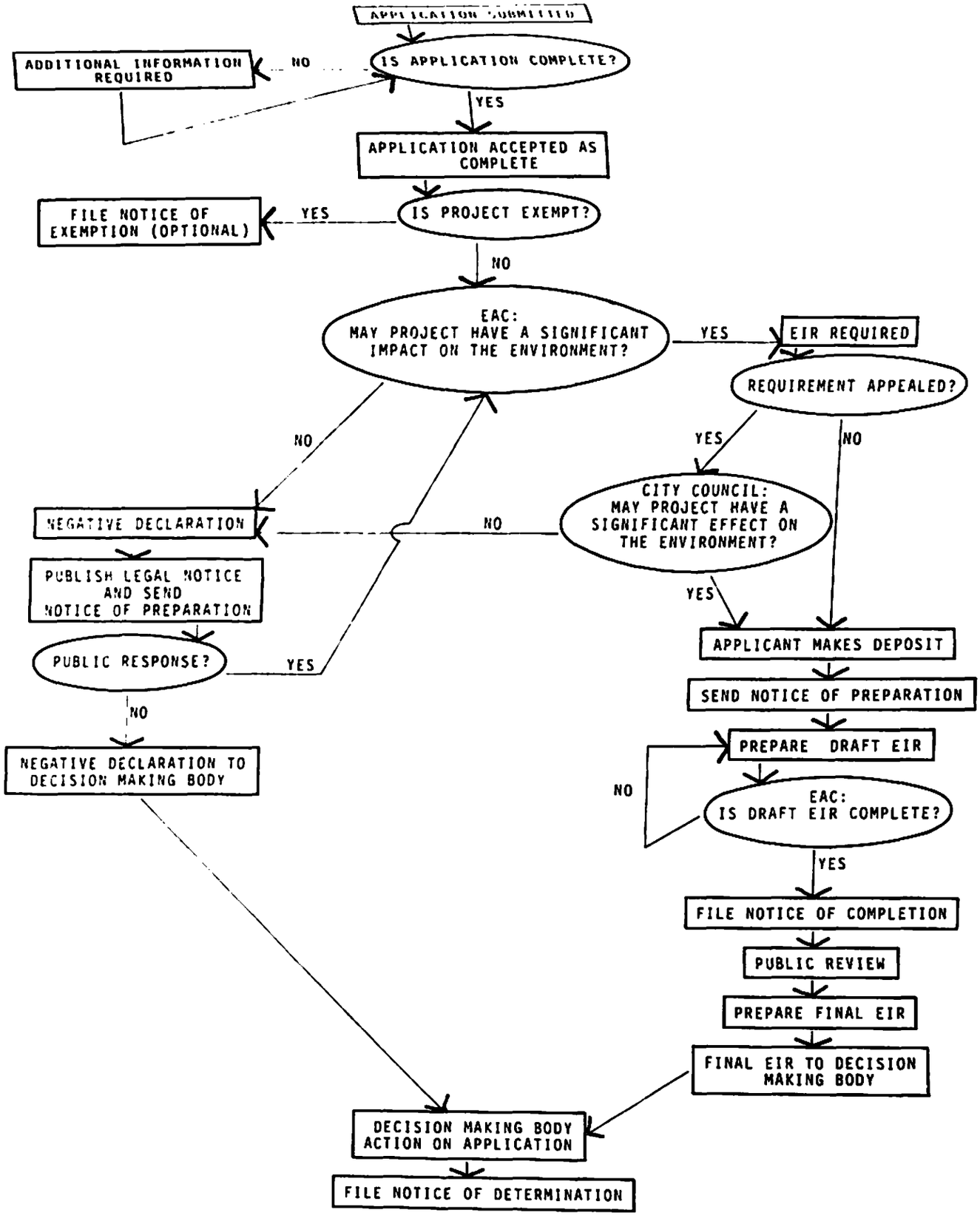


EXHIBIT I - FLOW CHART FOR ENVIRONMENTAL ASSESSMENT PROCESS

CITY OF MODESTO
APRIL 1981

MODESTO CITY COUNCIL
RESOLUTION NO. 81-407

A RESOLUTION SETTING TIME AND PLACE FOR HEARING TO CONSIDER ADJUSTMENT TO SERVICE CHARGES FOR GARBAGE SERVICE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 2, 1981 , at 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** adjustment to service charges for garbage service.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th **day of** May, 19 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-408

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON REQUEST BY AIRPORT GARBAGE (A PARTNERSHIP) TO TRANSFER THEIR GARBAGE LICENSE TO GILTON SOLID WASTE MANAGEMENT, INC.

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 26, 1981 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** request by Airport Garbage (a partnership) to transfer their garbage license to Gilton Solid Waste Management, Inc.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th **day of** May, 19 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-409

AN INFORMAL

A RESOLUTION SETTING TIME AND PLACE FOR/HEARING TO CONSIDER REVISED SEWER SERVICE CHARGES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 26, 1981, at 7:30 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of revised sewer service charges.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-410

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO P-D(21) - TULLY MANOR SHOPPING CENTER

WHEREAS, the Modesto City Planning Commission held a public hearing on May 4, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to P-D(21) property located at the southeast corner of Tully and Standiford to allow a family amusement machine center; and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-110 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to P-D(21) of the Zoning Map be set for June 9, 1981, at 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-411

A RESOLUTION AMENDING THE 1980-81 OPERATING BUDGET TO APPROPRIATE AN AMOUNT FOR THE JUNIOR GOLF PROGRAM.

WHEREAS, a balance of $573.25 is held in the City Trust Fund (Fund No. 601) resulting from net proceeds of Celebrity Golf Tournaments, and a donation from Frank Maroney, and

WHEREAS, said amount is to be used for an instructional golf program for youth, and to promote a George Maroney Junior Golf Tournament, as approved by motion of the City Council on October 1, 1973, and

WHEREAS, expenses for the youth golf program will amount to a total of $538.00 for the fiscal year 1980-81,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that an amount of $538.00 be transferred from the City Trust Fund (Fund No. 601) to the General Fund (Fund No. 101) Donations Account (Revenue Account No. 905).

BE IT FURTHER RESOLVED that said amount be appropriated in the General Fund (Fund No. 101), Recreation Division of the Parks and Recreation Department (Cost Center No. 3712) in the Junior Golf Program Account (Account No. 459).

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded

by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-412

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO TO P-D(53) _ MARIE CALLENDER'S BERBERIAN TRUST

WHEREAS, the Modesto City Planning Commission held a public hearing on May 4, 1981 , in the Council Chambers, City Hall, for the purpose of considering an amendment to P-D(53) property located at the northeast corner of Sylvan Avenue and Coffee Road to allow a building expansion on the shopping center to include a restaurant and bar serving alcoholic beverages with or without food; and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-115 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to P-D(53) of the Zoning Map be set for June 9, 1981, at 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May , 19 81 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-413

A RESOLUTION WAIVING SIGN PERMIT FEES FOR SIGNS TO BE MOVED, REMOVED, MODIFIED OR REPLACED BY NEW SIGNS TO CONFORM TO THE 1970-71 SIGN REGULATIONS.

WHEREAS, Section 10-2.3503(i) of the Modesto Municipal Code authorizes the Council, by resolution, to establish sign permit fees, and

WHEREAS, Resolution No. 77-707 established sign permit fees, and

WHEREAS, the Council desires to waive sign permit fees established by Resolution No. 77-707 for signs to be moved, removed, modified or replaced by new signs to conform to the 1970-71 sign regulations, which signs are to be made conforming to the sign regulations referred to herein by January 1, 1982, and

WHEREAS, the period of time for which the Council desires to waive sign permit fees for signs to be moved, removed, modified or replaced by new signs is from June 1, 1981, through November 30, 1981,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby waives for the period of time between June 1, 1981, through November 30, 1981, the sign permit fees established by Resolution No. 77-707 for signs to be moved, removed, modified or replaced by new signs to conform to the 1970-71 sign regulations, which signs are to be made conforming to the sign regulations referred to herein by January 1, 1982.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Modesto held on the 19th day of May, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by

Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-414

A RESOLUTION REFERRING TWO CODE TEXT AMENDMENTS REGARDING SIGN REGULATIONS TO THE PLANNING COMMISSION AND SETTING TIME AND PLACE FOR HEARING

BE IT HEREBY RESOLVED by the Council of the City of Modesto that two Code text amendments regarding Sign Regulations, as indicated on "Schedule A", are hereby referred to the Planning Commission for public hearing on June 15, 1981, at 7:30 p.m.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Lang, Muratore, Patterson, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Suggested Amendments to the Modesto Sign Regulations

Department of Planning and Community Development
May 1981

Purpose - In preparation for the January 1, 1982 deadline for signs to conform to the 1971-72 sign regulations, staff has arrived at some preliminary recommendations regarding amendments to the Code.

Staff recommends Council referral to the Planning Commission of these and any other amendments deemed necessary, Commission hearings and recommendations back to City Council, Council hearing, and final approval.

Staff further recommends that letters also be sent to businesses with nonconforming signs covered by these proposed amendments for two purposes: to advise them of the January 1, 1982 deadline if the Code is not changed; and to solicit their input on the wording of the proposed amendments.

Situation No. 1 - Throughout the city there are nonconforming uses. The most obvious are "Ma and PA" convenience stores in residential zones. The Code permits these uses to continue indefinitely. But the sign regulations require their signs to conform to the residential standards by January 1, 1982. Consequently, most signs will have to be removed with almost no business identity as a result.

Alternatives:

1. Do nothing
2. Amend the sign regulations to permit existing sign to remain.
3. Advise the property owner that C-1, P-D or some other appropriate zoning could be sought. If granted, the sign generally would conform. This is what occurred at Carver/Standiford (Brower P-D zone).

Staff recommendation - Code Text Amendment:

SEC. 10-2.3507. NONCONFORMING SIGNS: DEFINITIONS: REMOVAL, ALTERATION OR REPLACEMENT (p. 282-9.1)

New subsection:

Description of Sign	Abatement Schedule
(7) All signs on nonconforming uses or nonconforming buildings shall conform to the sign regulations of the most restrictive zone in which the nonconforming use or nonconforming building would first be permitted:	
(aa) Signs conforming	When the nonconforming use or nonconforming building is terminated
(ab) Signs not conforming as of February 28, 1977	By January 1, 1982
(ac) Signs not conforming as of March 1, 1977	By January 1, 1987

Situation No. 2 - We are approving large residential P-D zones with private driveways such as mobile home parks, townhouse condominiums, patio homes, etc. It is typical to sign the project name at each driveway, many times accompanied by the range of street addresses served by the private driveway. Depending on the density, the sign regulations of the R-1, R-2, or R-3 zone are specified. Currently the R-1 zone has no provision for signs and the R-2 and R-3 zones limit signs to one per street frontage.

Staff recommendation - Code Text Amendments:

SEC 10-2.3502. DEFINITIONS (pp. 282-2, 282-3)
Because it is too narrowly worded, delete:

"(p) "Multiple-Family Housing Project Sign" shall mean a sign identifying the name of a multiple-family housing project and located within the boundaries of a multiple-family housing project."

Subsection (g) "Directional sign" is adequate:

(g) "Directional Sign" shall mean one of two (2) types of signs. An exterior directional sign shall mean a sign oriented to a street and used to direct and control pedestrian or vehicular traffic and located on the same lot or premises as the use which it is intended to serve. An interior directional sign shall mean a directional, warning or informational sign not bearing any advertising message readable from any street right-of-way. It shall be located on the same lot or premises as the use which it is intended to serve.

SEC. 10-2.3509. SPECIFIC REQUIREMENTS FOR THE TYPE, AREA, AND HEIGHT OF SIGNS IN THE R-A, R-1, R-2, R-3, AND P-O ZONES. (pp. 282-12 through 282-14)

(a) In the R-A zone, the R-1 zone, the R-2 zone, and the R-3 zone, the following signs are permitted, except as otherwise stated:

New subsection:
(14) One (1) exterior directional sign per driveway or pedestrian walkway serving five (5) or more dwelling units as follows:
(aa) Sign copy limited to any or all of the following: street name and address, housing project name and logo, for sale, for rent, for lease.

(ab) Twelve (12) square feet maximum area, external illumination only.

(ac) For a freestanding sign, six (6') feet maximum height; for a wall sign, first story maximum height not to exceed twelve (12') feet.

Delete:

(b) signs permitted in the R-2 zone
(c) signs permitted in the R-3 zone

MODESTO CITY COUNCIL
RESOLUTION NO. 81-415

A RESOLUTION GRANTING APPROVALS TO THE MODESTO JAYCEES FOR A "PICNIC IN THE PARK" AND A PARADE AND FIREWORKS DISPLAY TO CELEBRATE JULY 4, 1981, IN THE CITY OF MODESTO, SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, the Modesto Jaycees (hereinafter referred to as the Jaycees) has filed requests with the City Council for permission to use Enslen Park and Graceada Park for a "Picnic in the Park" as part of the July 4th celebration, and

WHEREAS, said Jaycees has also filed requests relating to its parade and fireworks in connection with its July 4th celebration, and

WHEREAS, the Council deems it appropriate to grant approvals to the Jaycees relating to its July 4th celebration, subject to certain conditions,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby approve the following, subject to the conditions set forth, relating to the Jaycees' 1981 July 4th "Picnic in the Park":

1. The Jaycees may use Enslen Park and Graceada Park on Friday, July 3, 1981, and Saturday, July 4, 1981, for a "Picnic in the Park".

2. The streets of Sycamore from Needham to Morris, Park from Needham to Morris, Stoddard from Sycamore to Park, and Enslen from Stoddard to Morris may be closed to all traffic except emergency vehicles on Friday, July 3, 1981, and Saturday, July 4, 1981, subject to the approval of the Chief of Police of the City of Modesto. Parking may be permitted along the curbs only. The travel lanes shall be kept open for emergency vehicles at all times. The Jaycees shall furnish their own street barricades for the closing of the streets as approved by the Chief of Police.

3. The City of Modesto will provide twenty (20) chemical toilets for the "Picnic in the Park" on Friday, July 3, 1981, and Saturday, July 4, 1981.

4. All necessary licenses and permits must be obtained by each person or organization conducting an activity in either Enslen Park or Graceada Park as part of the "Picnic in the Park".

5. The Committee may charge the following registration fees from persons or organizations conducting an acitivity in either Enslen Park or Graceada Park:

Profit-making organizations	$35.00
Non-profit organizations	$25.00
Anyone requesting electricity	$45.00

6. In the event of any disagreement over the right of any person or organization to use either Enslen Park or Graceada Park, the City's Director of Parks and Recreation shall have the right to make the final determination.

7. The Jaycees shall remove any excess trash and debris from both Enslen Park and Graceada Park which is generated as a result of the "Picnic in the Park". The removal of said excess trash and debris by the Jaycees shall be completed by Sunday, July 5, 1981, at 12:00 o'clock noon.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that it does hereby approve the following, subject to the conditions set forth, relating to the Modesto Jaycees' 1981 July 4th parade and fireworks display:

1. "I" Street, between 11th and 12th Streets will be barricaded between 9:30 A.M. and 3:30 P.M. on Saturday, July 4, 1981, for the parade.

2. The City's reviewing stand with canvas top will be placed on "I" Street close to the cannon in the Courthouse Park by City personnel on Friday, July 3, 1981, for use for the parade on Saturday, July 4, 1981.

3. The Jaycees are granted permission to use a public address system at the reviewing stand for the parade. Said public address system to be furnished by the Jaycees.

4. The following parade route is approved as the parade route to be used on Saturday, July 4, 1981, subject to approval of the Chief of Police and Director of Parking and Traffic: starting at 10th and F Streets, north on 10th to J Street; east on J Street to 11th; south on 11th to I Street; east on I Street to 16th Street; then dismantle.

5. The City will supply three street sweepers for the parade.

6. The Jaycees are granted permission to use Del Webb Field for light musical entertainment from 7:00 PM to 9:00 PM on Saturday, July 4, 1981.

7. The Jaycees are granted permission to use Del Webb Field for display of fireworks on the evening of Saturday, July 4, 1981, subject to the following conditions:

(a) That the weather conditions will not create any fire hazard to the surrounding area;

(b) That the Jaycees assume the responsibility for cleaning Del Webb Field and adjacent areas after their use;

(c) That the City be reimbursed for any damages which may occur to Del Webb Field and City's two (2) adjacent golf courses;

(d) That arrangements be cleared by the Director of Parks and Recreation and the Chief of Police;

(e) That the fire works display be conducted according to the requirements of the Fire Chief of the City of Modesto as set forth in the memorandum from the Fire Chief to the City Manager dated April 15, 1981, a copy of which is attached hereto marked Exhibit "A" and made a part hereof as though set forth in full herein.

8. The City will supply a standby fire truck for the fireworks display.

9. The City will pay the Jaycees a total of Four Thousand, Five Hundred and no/100ths ($4,500.00) Dollars to help defray some of the Jaycees' expenses such as insurance, postage, etc. for the 1981 July 4th parade and fireworks display.

BE IT FURTHER RESOLVED that the following conditions shall apply to the request of the Modesto Jaycees relating to their 1981 "Picnic in the Park", parade and fireworks:

1. The City of Modesto shall indemnify and hold harmless the Modesto Jaycees from any and all liability, costs, damages, or injuries to persons or damage to property, which may arise out of or in any way be connected with the ordinary and customary condition of City property and facilities, or which may arise out of the negligent acts or omissions of any officer, agent, or employee of the City of Modesto.

2. The Modesto Jaycees shall indemnify and hold harmless the City of Modesto, its officers, agents and employees, from any and all liability, costs, damages or injuries to persons or damage to property, which may arise out of or in any way be connected with the Jaycees' use of Enslen and Graceada Park and the streets and areas adjacent thereto and the use of Del Webb Field and the streets and areas adjacent thereto.

3. The Jaycees shall furnish to the City Clerk of City current and valid certificates of insurance evidencing public liability and property damage insurance as shall protect the Jaycees and its agents and employees from claims for damages for bodily injury and property damage which may arise out of the Jaycees' use of Enslen and Graceada Parks and the streets adjacent thereto and the use of Del Webb Field and the areas adjacent thereto.

The amounts of public liability insurance shall be as follows:

Public liability insurance in an amount not less than One Hundred Thousand and no/100ths ($100,000.00) Dollars as the result of any one occurrence because of bodily injury, sickness, and disease including death therefrom (hereafter called "bodily injury") sustained by any one person; and Five Hundred Thousand and no/100ths ($500,000.00) Dollars as the result of one or more occurrences because of "bodily injury", and insurance in an amount not less than One Hundred Thousand and no/100ths ($100,000.00) Dollars as the result of any one or all occurrences for property damage.

The Jaycees' liability policies, and the valid certificates of insurance which are to be furnished to the City Clerk, shall contain contractual liability provisions stating that the policies are extended to cover the liability assumed by the Jaycees under the terms of the resolution, and the liability policies, and the certificates of insurance to be furnished to City shall not permit cancellation of said insurance unless ten (10) days' prior written notice is furnished to the City Clerk of the City of Modesto.

BE IT FURTHER RESOLVED that the City Clerk shall furnish the Modesto Jaycees with a copy of this resolution. The Jaycees shall file a written acceptance of this resolution with the City Clerk, and no right shall be conferred hereby until said acceptance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 1981, by Councilmember Siefkin, who moved it adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CITY OF MODESTO

M E M O R A N D U M

Date: April 15, 1981

TO: City Manager

FROM: Fire Chief

SUBJECT: Fireworks Display - July 4, 1981 - Del Webb Field

Pursuant to the provisions of Section 12648 of the Health and Safety Code of the State of California, I recommend a permit be granted with City Council approval as provided for in Section 12646 of the public display of fireworks to be conducted by the 4th of July Celebration Committee at Del Webb Field, July 4, 1981.

I recommend the permittee be required to provide the following safety measures as a condition for conducting the fireworks display.

1) The pyrotechnic operator shall be currently licensed by the State Fire Marshal.

2) Patrol personnel be provided to prevent the unlawful and dangerous discharge of legal and illegal fireworks on the Municipal Golf Course and on the Del Webb Field property by the general public.

3) Modesto Fire Department be authorized to provide fire patrol services in the fallout area utilizing six (6) off-duty Fire Department personnel and two (2) reserve engine companies.

4) Discharge of fireworks to be permitted only upon the approval of the Fire Marshal who will inspect the area prior to the actual discharging and will determine if compliance has been made with required safety regulations and the wind velocity is not exceeding the knots considered safe for this display.

5) The downrange area be barricaded and patrolled to prevent injury to spectators due to fallout of rocket components and short ground bursts.

Bruce Simons

BS:wpc

Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 416

A RESOLUTION AMENDING A PORTION OF PLANNED DEVELOPMENT ZONE, P-D(21), PROPERTY LOCATED AT THE SOUTHEAST CORNER OF TULLY ROAD AND STANDIFORD AVENUE, TO PERMIT SERVING ALCOHOLIC BEVERAGES, ONLY IN CONJUNCTION WITH MEALS, AT THE PURPLE LANTERN RESTAURANT. (TULLY MANOR INVESTMENT TRUST).

WHEREAS, City Council Ordinance No. 748-C. S., effective October 27, 1976, granted P-D(21) to the Pacific Investment Company (Stone Bros. and Associates) to allow commercial, professional office, multiple family, church, and other uses on property on the south side of Standiford Avenue and on both sides of Tully Road, and

WHEREAS, City Council Resolution No. 65-502, adopted on September 13, 1965, approved the development plan and schedule for P-D(21) and also contained the conditions of approval for the development of said uses on the P-D(21) property, and

WHEREAS, a verified application for an amendment to a portion of P-D(21) was filed by Tully Manor Investment Trust on March 2, 1981, to permit service of alcoholic beverages, only in conjunction with meals, at the Purple Lantern Restaurant, on property located at the southeast corner of Tully Road and Standiford Avenue, and

WHEREAS, said application was set for a public hearing before the Planning Commission on April 20, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 81-102, found and determined that an amendment to a portion of P-D(21) to permit service of alcoholic beverages, only in conjunction with meals, at the Purple Lantern Restaurant, on property located at the southeast corner of Tully Road and Standiford Avenue, is required by public necessity, convenience, and general welfare for the following reasons:

1. Hard liquor in addition to beer and wine served only in conjunction with meals at this location, with hours limitation, should not pose any significant land use conflicts.

2. The specific site is toward the Tully Road frontage, 450' distant from any residential rear yards.

3. Current 10 p.m. closing hours and other conditions of approval will help assure compatibility, and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on May 26, 1981, and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to a portion of P-D(21) to permit service of alcoholic beverages, only in conjunction with meals, at the Purple Lantern Restaurant on property located at the southeast corner of Tully Road and Standiford Avenue, is required by public necessity, convenience, and general welfare for the reasons set forth in Planning Commission Resolution No. 81-102 and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that an amendment to a portion of P-D(21) to permit service of alcoholic beverages, only in conjunction with meals, at the Purple Lantern Restaurant on property located at the southeast corner of Tully Road and Standiford Avenue be approved. Said service of alcoholic beverages, only in conjunction with meals, at the Purple Lantern Restaurant as referred to herein shall be in accordance with the following conditions:

1. That permission to serve alcoholic beverages in addition to beer and wine, only in conjunction with meals, be granted to the Purple Lantern Restaurant as identified on the plan entitled "Exhibit 'A' and 'B' Leasing Plan, Tully Manor Shopping Center" dated April 20, 1981, and on file in the office of the Director of Planning and Community Development.

2. That no mixing nor preparation of alcoholic beverages be conducted within the dining area.

3. That there be no seating nor other public accommodations at the location where alcoholic beverages are mixed or prepared.

4. Except as modified above, the remainder of the conditions relating to Planned Development Zone, P-D(21), including, but not limited to the condition that all businesses in the shopping center may be open to the public only between the hours of 7:00 a.m. and 10:00 p.m. of each day, seven days a week, with certain exceptions, shall remain in full force and effect as established by City Council Resolution No. 65-502 adopted on September 13, 1965, and modified thereafter.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-417

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (302).

WHEREAS, a verified application for an amendment to Section 8-3-9 of the Zoning Map was filed by Rule-Dale Properties on March 12, 1981, to reclassify from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D, the following described property:

ALL that certain real property situate in a portion of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and lying within the City of Modesto, County of Stanislaus, State of California, described as follows:

BEING Lots 21-30 of Block 13050 as shown on that certain map entitled "CONTINENTAL PLAZA" filed in Volume 26 of Maps, at Page 85, Stanislaus County Record on June 24, 1977.

Including also all of the Southerly one-half of West Union Avenue and all of Cougar Court immediately adjacent to the above described property.

WHEREAS, after public hearing held on April 20, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D Zone will allow for owner occupancy of all units rather than be partially limited to retail occupancy of existing dwelling units.

2. The conditions of approval will assure compatibility between the subject property and the adjoining properties.

WHEREAS, after a public hearing held on May 26, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Rule-Dale Properties for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2040-C.S. on the 26th day of May, 1981, reclassifying the above-described property from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D (302).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(302) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan titled "Site Plan Continental Plaza No.2" as amended in red, stamped approved by the Planning Commission on April 20, 1981.

2. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

3. Trash cans shall be screened from view from any public street in accordance with the approved plot plan.

4. All utilities shall be underground, and cable television shall be stubbed into all units.

5. All signs shall comply with the sign requirements of the R-2 Zone.

6. Prior to sale of any condominiums, a subdivision map shall be recorded.

7. Prior to recordation of a final subdivision map, the developer shall obtain certification from the Chief Building Official that all construction conforms to all building and fire safety standards for condominiums established by the Chief Building Official.

8. Prior to recordation of a final subdivision map, the developer shall obtain certification from the Director of Parks and Recreation that the landscaping and irrigation system generally conforms to City Standards and/or any previously approved plans.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (302):

The entire construction program shall be accomplished in one phase, construction to begin on or before December 1, 1982, and completion to be not later than October 1, 1984.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (302) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: Patterson

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By W.S. Nichols 4D
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-418

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 8-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (RULE-DALE PROPERTIES)

WHEREAS, on May 26, 19 81, the City Council introduced Ordinance No. 2040 - C. S. giving approval to a project relating to an amendment to Section Map 8-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(302), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 8-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(302).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: Patterson

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 419

A RESOLUTION ADOPTING THE EMPIRE EAST AREA AMENDMENT TO THE LAND USE AND CIRCULATION ELEMENTS MAP OF THE MODESTO URBAN AREA GENERAL PLAN, AND CERTIFYING COPIES THEREOF TO THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, AND TO THE CITY COUNCILS OF THE CITIES OF CERES AND RIVERBANK.

WHEREAS, pursuant to the provisions of the Government Code of the State of California, the Modesto City Planning Commission is charged with the responsibility of recommending to the City Council a comprehensive, long-term general plan for physical development of the city and land outside its boundaries which, in the Commission's judgment, bears relating to its planning, and

WHEREAS, a General Plan for the City of Modesto entitled "Modesto-Ceres-Empire Area General Plan", was recommended by the Modesto City Planning Commission and adopted by the Council of the City of Modesto by Resolution No. 59-33 on January 23, 1959, and

WHEREAS, thereafter the Planning Commission of the City of Modesto determined and found that amendments to said adopted General Plan of the City of Modesto and surrounding urban area were in the public interest, and said General Plan was amended by Modesto City Council resolutions:

No. 65-695, adopted on December 27, 1965 (Land Use, Public Facilities and Circulation)
No. 70-235, adopted on March 16, 1970 (Housing Element, Phase #1)
No. 72-1042, adopted on October 2, 1972 (Interim Open Space Plan)
No. 73-671, adopted on August 6, 1973 (Open Space and Recreation Elements)
No. 74-651, adopted on August 5, 1974 (Land Use and Circulation Elements)
No. 75-364, adopted on March 10, 1975 (Phase Two Housing Element)
No. 75-638, adopted on June 9, 1975 (Safety, Scenic Highways and Seismic Safety Elements)
No. 76-906, adopted on July 26, 1976 (Housing Element, Phase #3)
No. 77-724, adopted on July 11, 1977 (Amended Land Use and Circulation Elements Map with Text Amendment on Storm Drains)

No. 77-765, adopted on July 25, 1977 (Amendment to Land Use and Circulation Elements Map - Orchard Neighborhood)
No. 78-854, adopted on August 14, 1978 (Conservation Element)
No. 78-855, adopted on August 14, 1978 (Noise Element)
No. 80-322, adopted on April 8, 1980 (Amendment to Land Use and Circulation Elements Map - College West Neighborhood)
No. 80-636, adopted July 1, 1980 (Amendment to Land Use and Circulation Elements Map), and
No. 81-50, adopted January 27, 1981 (Amended Housing Element),

and

WHEREAS, the Planning Commission held a public hearing on April 6, 1981, on an amendment to the Modesto Urban Area General Plan to amend the Land Use and Circulation Elements' Map, at which hearing evidence, both oral and documentary, was received and considered, and

WHEREAS, the Planning Commission has determined and found that the adoption of an amended Land Use and Circulation Elements' Map of the Modesto Urban Area General Plan converting the Empire East Area from Urban Reserve to Agriculture would be in the interest of the general welfare, and

WHEREAS, the Planning Commission by Resolution 81-95 adopted on April 6, 1981, has approved and recommended to the City Council an amendment to the Land Use and Circulation Elements' Map of the Modesto Urban Area General Plan, by the adoption of the map entitled "Empire East General Plan Amendment" dated January 1981, a copy of which is on file in the office of the Director of Planning and Community Development, and

WHEREAS, the City Council held a public hearing on said amendment, as approved and recommended by the Planning Commission, on May 26, 1981, at 7:30 o'clock p.m., in the Council Chambers, in City Hall, Modesto, California, as required by law, and

WHEREAS, the Council has received and considered the Final Environmental Impact Report for said amendment entitled "Empire East General Plan Amendment" dated April 1981,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that the adoption of an amendment to the Land Use and Circulation Elements' Map of the adopted General Plan of the City of Modesto and the surrounding urban area is required for the public health, safety and general welfare.

BE IT FURTHER RESOLVED by the Council that it does hereby adopt an amendment to the Land Use and Circulation Elements' Map of the adopted General Plan of the City of Modesto and surrounding urban area by the adoption of the map entitled "Empire East General Plan Amendment" dated January 1981, a copy of which is on file in the office of the Director of Planning and Community Development and in the office of the City Clerk.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to certify a copy of said amendment to the Land Use and Circulation Elements' Map of the adopted General Plan to the Board of Supervisors of the County of Stanislaus, the City Council of the City of Ceres, and the City Council of the City of Riverbank.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 1981, by Councilmember

Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 420

A RESOLUTION CONSENTING TO THE TRANSFER BY AIRPORT GARBAGE SERVICE, A PARTNERSHIP COMPOSED OF EUGENE AND LEROY GILTON, TO GILTON SOLID WASTE MANAGEMENT, INC., A CALIFORNIA CORPORATION, OF ITS LICENSE FOR THE COLLECTION OF GARBAGE AND INDUSTRIAL GARBAGE.

WHEREAS, Airport Garbage Service, a partnership composed of Eugene and Leroy Gilton, has a license from the City of Modesto for the collection of garbage and industrial garbage, and

WHEREAS, Section 5-5.30 of the Modesto Municipal Code provides that no license may be transferred by a licensed garbage company without prior written consent of the City Council granted after a public hearing thereon, and

WHEREAS, a request has been received by the Council of the City of Modesto from Airport Garbage Service, a partnership composed of Eugene and Leroy Gilton, for approval of the transfer of its license for the collection of garbage and industrial garbage to Gilton Solid Waste Management, Inc., a California corporation, which is solely owned by Eugene and Leroy Gilton, and

WHEREAS, a public hearing was held by the Council on May 26, 1981, at which hearing the requested transfer by Airport Garbage Service, a partnership composed of Eugene and Leroy Gilton, to Gilton Solid Waste Management Inc., a California corporation, which is solely owned by Eugene and Leroy Gilton, of its license for the collection of garbage and industrial garbage, as set forth above, was considered, and

WHEREAS, after said public hearing it was determined by the Council that consent should be granted for the requested transfer,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby consents to the transfer by Airport Garbage Service, a partnership composed of Eugene and Leroy Gilton, to Gilton Solid Waste Management Inc., a

California corporation, which is solely owned by Eugene and Leroy Gilton, of its license for the collection of garbage and industrial garbage.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-421

A RESOLUTION ESTABLISHING SEWER SERVICE CHARGES.

WHEREAS, Section 5-6.02 of the Modesto Municipal Code authorizes the Council to establish sewer service charges from time to time by resolution,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEFINITIONS. Unless the context requires a different meaning, for the purposes of this resolution the definitions set forth in Section 5-6.01 of Chapter 6 of Title V of the Modesto Municipal Code entitled "DEFINITIONS" shall apply.

SECTION 2. SEWER SERVICE CHARGES FOR RESIDENTIAL SERVICE. Each person owning property within the sewer district and receiving residential sewer service shall pay a sewer service charge to the City in accordance with the following rates for the period commencing on and after August 1, 1981.

(a) The monthly sewer service charges for dwelling units, mobile homes and mobile home spaces in mobile home parks connected or required to be connected to the sewage system shall be:

Each single-family dwelling or mobile home on a lot	$3.25
Each dwelling unit in a duplex	2.25
One additional dwelling unit or mobile home on a lot	2.25
Each dwelling unit in an apartment building or dwelling group or mobile home space in a mobile home park	1.75

(b) In areas outside the Sewer District, the monthly sewer service charges for dwelling units or mobile homes or mobile home spaces in a mobile home park shall be at the rate of 135% of the charges set forth above.

(c) For dwelling units or mobile homes required to be connected to the sewage system, but which have not been connected to said system, in addition to the sewer service charges set forth in subsection (a) above, there shall be an additional charge of One and no/100ths ($1.00) Dollar per month per premises to cover the costs of inspections to insure that the continued use of septic tanks does not cause a health hazard or nuisance.

SECTION 3. SEWER SERVICE CHARGES FOR COMMERCIAL SERVICE. Each person owning property within the sewer district and receiving commercial sewer service shall pay a sewer service charge to the City in accordance with the following rates for the period commencing on and after July 1, 1981:

(a) Commercial users (including churches) shall be grouped according to Biochemical Oxygen Demand (hereinafter referred to as B.O.D.) and Suspended Solids (hereinafter referred to as S.S.) strength characteristics and shall pay sewer service charges based on 65% of the quantity of water used measured in gallons and the waste strength characteristics measured in milligrams per liter (hereinafter referred to as mg/l). The Director of Public Works shall determine the waste strength characteristics of commercial users and assign them to one of the following commercial users groups:

	Sewer Service Charges Per 1000 Gals. of Water Used
Group 1 Combined B.O.D. and S.S. measured in mg/l is 400 mg/l or less	26¢
Group 2 Combined B.O.D. and S.S. measured in mg/l is in the range of 401 mg/l to 900 mg/l.	29¢
Group 3 Combined B.O.D. and S.S. measured in mg/l is in the range of 901 mg/l to 1400 mg/l.	35¢
Group 4 Combined B.O.D. and S.S. measured in mg/l is over 1401 mg/l.	40¢

(b) Sewer service charges for commercial users outside the Sewer District shall be at the rate of 135% of the charges set forth in subsection (a) above.

(c) Notwithstanding the charges set forth in subsections (a) and (b) above, there shall be a minimum $2.00 per month sewer charge for commercial users.

(d) For commercial users required to be connected to the sewage system, but which have not been connected to said system, in addition to the sewage service charges set forth in subsection (a) above, there shall be an additional charge of One and 50/100ths ($1.50) Dollars per month to cover the costs of inspections to insure that the continued use of septic tanks does not cause a health hazard or nuisance.

(e) Commercial users shall have all water used on the premises metered in order to determine the users' sewer service charges.

(1) Commercial users on a public water system other than the City's shall obtain a metered water service from the water purveyor and shall pay the sewer service charge which would be made were such water from the City's water system.

(2) Commercial users not connected to a public water system shall allow the City to furnish, install and maintain a water meter with the user to pay for the cost of the meter and installation plus ten (10) percent. The user shall pay the sewer service charge which would be made were such water from the City's water system. Authorization shall be granted to City from user to install, read and maintain said meter by user executing an agreement on a form furnished by the Director of Public Works.

(f) In the case of existing meters which are under the ownership of users, the City will assume responsibility for maintenance of such meters upon:

(1) Receipt of transfer of title from the owner in a form satisfactory to the Director of Public Works, and

(2) Authorization being granted to City for reading and maintaining the meter as set forth in paragraph (e) above.

SECTION 4. SEWER SERVICE CHARGES FOR INDUSTRIAL SERVICE. Each person owning property within the sewer district and receiving industrial sewer service shall pay a sewer service charge to the City in accordance with the following rates for the period commencing on and after July 1, 1981:

(a) The monthly sewer service charges for industrial users shall be at the rate of $236.00 per million gallons of flow based on either sewage discharge or water used.

(b) If the Biochemical Oxygen Demand (B.O.D.) of the industrial waste is over two hundred (200) mg/l, then an additional charge of $21.00 per one thousand (1000) pounds of B.O.D. will be made for the B.O.D. in excess of two hundred (200) mg/l.

(c) If the Suspended Solids (S.S.) of the industrial waste is over two hundred (200) mg/l, then an additional charge of $21.00 per one thousand (1000) pounds of S.S. will be made for the S.S. in excess of two hundred (200) mg/l.

(d) Notwithstanding the charges set forth in subsections (a), (b), and (c) above, there shall be a minimum $10.00 per month sewer service charge.

(e) In those cases where an industrial user has elected to install an effluent metering device to measure industrial waste and has an unmetered connection for disposal of sanitary sewage, the Director of Public Works may establish an estimated volume of sanitary sewage. The estimated volume shall be based upon the number and usage of plumbing fixture units contributing to the system and any other available information that indicates the volume of sanitary sewage. The quantity of flow thus estimated shall be added to the volume of industrial waste passing through the effluent meter and monthly sewer service charges shall be based upon the total volume.

(f) Sewer service charges for industrial users outside the sewer district shall be at the rate of 135% of the charges set forth in subsections (a), (b), (c), (d), and (e) above.

SECTION 5. PREPAID SEWER SERVICE CHARGES. Any person who has prepaid sewer service charges for residential sewer service and the period for which said sewer service charges were prepaid includes period covered by Section 2 of this resolution shall be entitled to receive sewer service for said period for the prepaid rates.

SECTION 6. EFFECTIVE DATE. The Commercial and Industrial Sewer Service Charges established by this resolution shall become effective and apply on and after July 1, 1981 and the Residential Sewer Service Charges established by this resolution shall become effective and apply on and after August 1, 1981.

SECTION 7. SUPERSEDES PRIOR RESOLUTION. This resolution supersedes Modesto City Council Resolution No. 80-167.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 1981, by Councilmember Muratore, who moved its adoption which motiong being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	Elliott
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-422

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF STANDIFORD AVENUE AT HETCH HETCHY RIGHT OF WAY

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of Standiford Avenue at Hetch Hetchy right of way copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 16, 1981, at 11:10 a.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-423

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE RESURFACING OF CITY STREETS - SPRING 1981

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the resurfacing of City Streets - Spring 1981

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 16, 1981, at 11:15 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-424

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR PROJECT NO. 11 - REPLACEMENT OF CURB, DRIVE APRONS AND SIDEWALK AT VARIOUS LOCATIONS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for Project No. 11 - replacement of curb, drive aprons and sidewalk at various locations

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 9, 1981, at 11:05 a.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-425

A RESOLUTION ACCEPTING THE BID OF DON L. DAVIS, INC. FOR THE REFINISHING OF CLARIFIER NO. 1 AT THE CITY OF MODESTO WATER QUALITY CONTROL PLANT

WHEREAS, Resolution No. 81-342, adopted by the Council of the City of Modesto on May 5, 1981, approved the plans and specifications for the refinishing of Clarifier No. 1 at the City of Modesto Water Quality Control Plant and authorized the calling for bids; and

WHEREAS, the bids received for the refinishing of Clarifier No. 1 at the City of Modesto Water Quality Control Plant were opened at 11:00 a.m. on May 19, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Don L. Davis, Inc. in the amount of $21,610 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Don L. Davis, Inc. in the amount of $21,610 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-426

A RESOLUTION ACCEPTING THE CONSTRUCTION OF FIRE PREVENTION BUREAU PARKING LOT AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of the Fire Prevention Bureau parking lot has been completed by Lee White Paving Company

in accordance with the contract agreement dated January 13, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of the Fire Prevention Bureau parking lot be accepted from said contractor, Lee White Paving Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $12,400 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-427

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINE EXTENSION IN DALLAS AVENUE AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** waterline extension in Dallas Avenue **has been completed by** Superior Pipeline, Inc.

in accordance with the contract agreement dated February 17, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterline extension in Dallas Avenue **be accepted from said contractor,** Superior Pipeline, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $14,729.55 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th **day of** May, 19 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-428

A RESOLUTION ACCEPTING THE CONSTRUCTION OF A 10-FOOT STRIP ON BLUE GUM AVENUE BETWEEN CARPENTER ROAD AND PRITCHARD AVENUE

WHEREAS, a report has been filed by the Director of Public Works that the construction of a 10-foot strip on Blue Gum Avenue between Carpenter Road and Pritchard Avenue has been completed by The Flintkote Company

in accordance with the contract agreement dated March 5, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of a 10-foot strip on Blue Gum Avenue between Carpenter Road and Pritchard Avenue be accepted from said contractor, The Flintkote Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $23,500 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-429

A RESOLUTION APPROVING SUBSTITUTION OF SUBCONTRACTOR BY BIBENS NURSERY, CONTRACTOR FOR THE LANDSCAPING AND IRRIGATION AT MUNCY PARK

WHEREAS, the City of Modesto has contracted with Bibens Nursery for the landscaping and irrigation at Muncy Park project; and

WHEREAS, Bibens Nursery has asked that they be allowed to perform the electrical work in lieu of Ad-Vance Electric as listed in their bid proposal, because Ad-Vance Electric was listed in error on the original bid approval; and

WHEREAS, Section 4107 et seq of the Government Code permits the City Council to approve the substitution of a subcontractor when a subcontractor is listed on the bid proposal in error; and

WHEREAS, a letter has been received from Ad-Vance Electric stating that they do not object to the substitution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the substitution of Bibens Nursery, as subcontractor for the electrical work on the landscaping and irrigation at Muncy Park, replacing Ad-Vance Electric.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 1981, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-430

A RESOLUTION ACCEPTING IMPROVEMENTS IN JANAY MEADOWS SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Ronald S. & Gail C. Wose, and Bonham Builders/Inc., subdividers of Janay Meadows Subdivision, have filed subdivision bonds for faithful performance and labor and materials in the amount of $ 44,300.00 and $ 22,150.00 respectively to guarantee improvements in Janay Meadows Subdivision ; and

WHEREAS, the Director of Public Works in a memorandum dated May 14, 1981, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the subdivision bonds upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Janay Meadows Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the subdivision bond for faithful performance in the amount of $ 44,300.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the subdivision bond for labor and materials in the amount of $ 22,150.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 19 81 by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-431

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WILLIAM F. AND SUSAN B. BERRY FOR THE ACQUISITION OF AN AVIGATION EASEMENT FOR THE MODESTO CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and William F. and Susan B. Berry **for** the acquisition of 0.10± acres located off the end of Runway 28R for an avigation easement for the Modesto City-County Airport **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th **day of** May, **19** 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-432

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DONALD AND JOANN F. HAGLUND FOR THE ACQUISITION OF AN AVIGATION EASEMENT FOR THE CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Donald and Joann F. Haglund **for** the acquisition of .004± of an acre located off the end of Runway 28R for an avigation easement for the Modesto City-County Airport **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th **day of** May, **19**81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-433

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND FRANCES EPPERSON FOR THE ACQUISITION OF 600+ SQUARE FEET OF HER PROPERTY NEEDED FOR THE SIDEWALKS - SUNRISE/LUCERN TO NORWEGIAN PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Frances Epperson

for the acquisition of 600± square feet of her property needed for the sidewalks - Sunrise/Lucern to Norwegian project

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th **day of** May, 19 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-434

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WENDELL L. THOMPSON FOR THE ACQUISITION OF TWO PARCELS OF LAND FROM TWO PROPERTIES HE OWNS FOR THE SIDEWALKS - SUNRISE/LUCERN TO NORWEGIAN PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Wendell L. Thompson

for the acquisition of three parcels containing 700±, and 50± square feet of property needed for the sidewalks - Sunrise/Lucern to Norwegian project **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th **day of** May, 19 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-435

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WENDELL L. THOMPSON FOR THE ACQUISITION OF 550+ SQUARE FEET OF PROPERTY NEEDED FOR THE SIDEWALKS - SUNRISE/LUCERN TO NORWEGIAN PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Wendell L. Thompson **for** the acquisition of 550± square feet of property needed for the sidewalks - Sunrise/Lucern to Norwegian project **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th **day of** May, **19** 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-436

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WILLIAM R. AND CAROLINE J. AMUNDSEN FOR THE ACQUISITION OF 600+ SQUARE FEET OF THEIR PROPERTY NEEDED FOR THE SIDEWALKS - SUNRISE/LUCERN TO NORWEGIAN PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and William R. and Caroline J. Amundsen **for** the acquisition of 600+ square feet of their property needed for the sidewalks - Sunrise/Lucern to Norwegian project **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th **day of** May, 19 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-437

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND REDWOOD FOODS PACKING COMPANY FOR PURCHASING CITY CHIPPED TREE AND BRUSH TRIMMINGS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Redwood Foods Packing Company **for** the purchase of City chipped tree and brush trimmings for $16 per ton **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th **day of** May, **19** 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-438

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF REPAIRS TO A VEHICLE FLOOR HOIST FOR THE PUBLIC WORKS SERVICE DIVISION FROM WESTERN METER SERVICE

WHEREAS, the Public Works Service Division presently has a need to repair a vehicle floor hoist located in the main shop; and

WHEREAS, several contractors were contacted by staff to perform the repair and only Western Meter Service located in Lodi, California submitted a proposal.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of repairs to a vehicle floor hoist for the Public Works Service Division is hereby waived.

BE IT FURTHER RESOLVED that purchase of repairs to a vehicle floor hoist from Western Meter Service for an estimated cost of $5,855.64 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 1981, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-439

A RESOLUTION APPROVING ISSUANCE OF A PURCHASE ORDER TO M.I.D. FOR LINE EXTENSION COSTS FROM CLAUS ROAD TO CITY PROPERTY FOR THREE PHASE, 480 VOLT ELECTRIC SERVICES FOR FUTURE PUMP STATION #45

WHEREAS, three phase electrical service will be required for the construction of Pump Station #45; and

WHEREAS, the City will realize a savings if M.I.D. can install this in conjunction with other work that they are doing in the area.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that issuance of a purchase order in the amount of $8,029.21 to M.I.D. for line extension costs from Claus Road to City property for three phase, 480 volt electric services for future Pump Station #45 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 440

A RESOLUTION ADOPTING AN AMENDED ZONING AND DEVELOPMENT PLAN AND POLICY FOR THE ORCHARD NEIGHBORHOOD.

WHEREAS, there is an adopted Neighborhood Zoning and Development Plan and Policy for the Orchard Neighborhood, and

WHEREAS, on April 6, 1981, the Planning Commission initiated an amendment to the Plan portion of said adopted Zoning and Development Plan and Policy for the Orchard Neighborhood to correct an internal inconsistency in the zoning pattern, as shown on said plan, and

WHEREAS, the Planning Commission held an informal public hearing on said proposed amendment at its regular meeting held on April 20, 1981, and

WHEREAS, by its Resolution No. 81-103, the Planning Commission recommended to the City Council an amendment to the Plan portion of the Zoning and Development Plan and Policy for the Orchard Neighborhood, and

WHEREAS, on June 2, 1981, the City Council held a public hearing on said proposed amendment and, after hearing evidence both oral and documentary, the Council found and determined that an amendment to the Plan portion of the Zoning and Development Plan and Policy for the Orchard Neighborhood, as recommended by the Planning Commission in its Resolution No. 81-103 referred to above, is required by public necessity, convenience and general welfare, and should be approved,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby adopts an amended Zoning and Development Plan and Policy for the Orchard Neighborhood, as shown on Exhibit "A" attached hereto and made a part hereof as though set forth in full herein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

It is the policy of the Modesto City Planning Commission to adopt general zoning and development patterns for all neighborhoods on the City's fringe. Such adopted zoning and development patterns are necessary in order to guide property owners in planning for the development of their parcels and to assist the Commission to more adequately plan for the community as a whole.

The development concept is designed to provide a suitable physical relationship between commercial and residential uses and between single-family and multiple-family type housing. This concept also attempts to provide sufficient acreage for both types of housing to satisfy the projected needs of the community and to minimize, as much as possible, traffic flow through the interior of the neighborhoods by concentrating higher intensity land uses on the periphery of these neighborhoods along the major streets.

The specifics employed in attempting to accomplish the above mentioned purposes are listed below:

1. Multiple family (R-3) zoning is shown approximately 300 feet deep along major streets (Oakdale Road and Roselle Avenue).

2. Medium density (R-2) zoning adjacent to the R-3 zoning is shown to approximately a quarter mile depth into the interior of the neighborhood.

3. No neighborhood shopping center is shown within this neighborhood. The neighborhood is adequately served by neighborhood commercial developments to the west across Oakdale Road and to the south across Briggsmore Avenue. Further commercial development on Floyd Avenue would put undue traffic pressure on this collector street. A small commercial acreage is shown at the northwest corner and southwest corner of the neighborhood to reflect existing commercial uses.

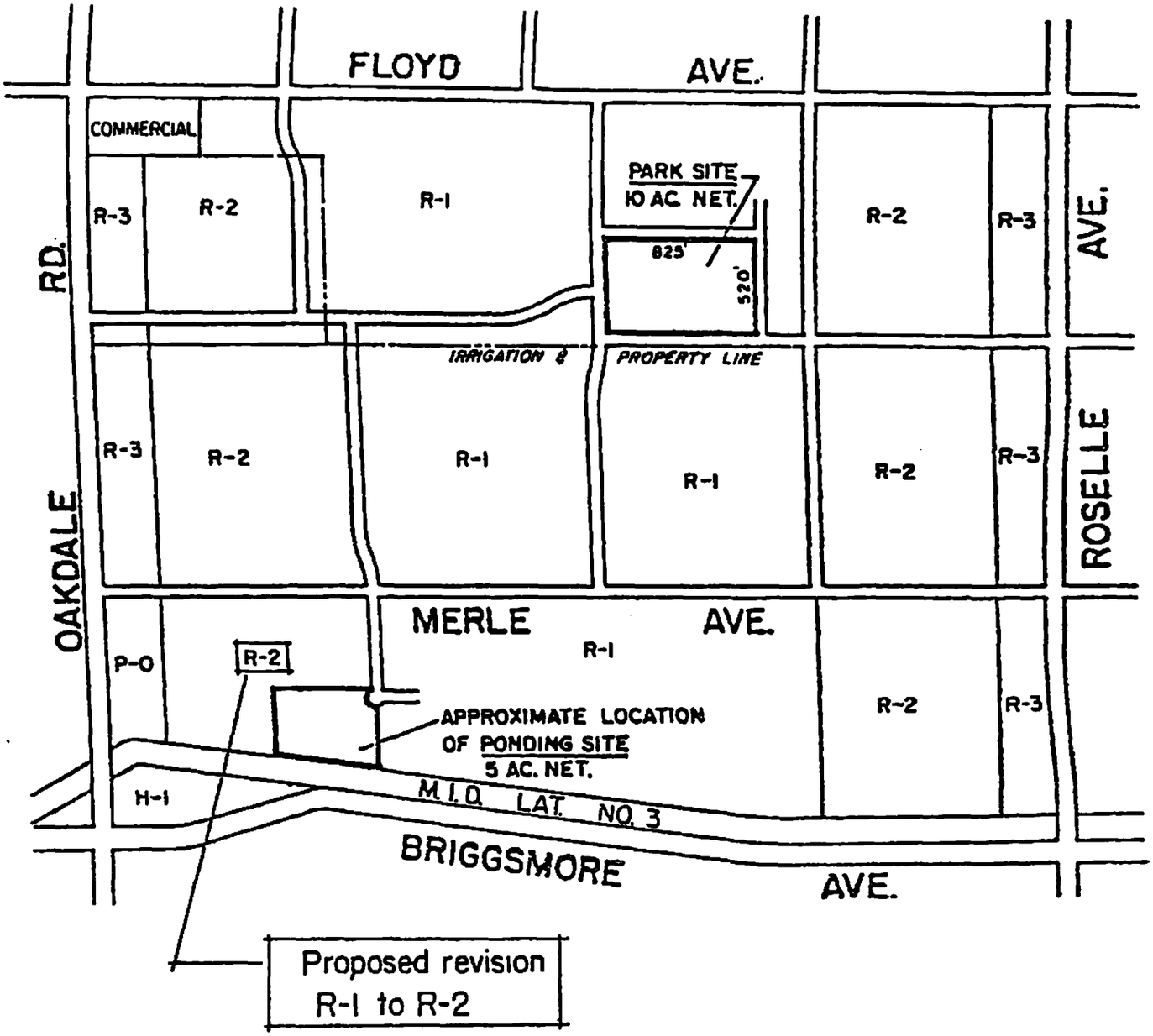
The Planning Commission will evaluate the zoning and prezoning applications in the Orchard Neighborhood as they relate to the general zoning and development patterns as specified by this policy and shown on the attached map.

It is also City policy to encourage the following in developing the neighborhood.

4. The northern boundary, Floyd Avenue, is a collector rather than the normal major street. Efforts should be made to limit the number of driveways onto the street. This should help smooth the traffic flow on Floyd. To this end the use of the P-D Zone to cluster development along Floyd is recommended.

5. In order to help conserve energy, east-west street orientation is recommended.

6. To foster better urban design, curvilinear street design is recommended.



Proposed revision MARCH 1981

NEIGHBORHOOD ZONING & DEVELOPMENT PLAN

ORCHARD NEIGHBORHOOD

POLICY AND PLAN ADOPTED BY PLANNING COMMISSION	MARCH 15, 1977
POLICY AND PLAN REVISED BY PLANNING COMMISSION	MAY 30, 1978
POLICY AND PLAN REVISION ADOPTED BY CITY COUNCIL	OCTOBER 2, 1978
PLAN REVISED BY PLANNING COMMISSION	AUGUST 6, 1979
PLAN REVISION ADOPTED BY CITY COUNCIL	AUGUST 14, 1979
PLAN REVISED BY PLANNING COMMISSION	APRIL 20, 1981

Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 441

A RESOLUTION AMENDING THE CONFLICT OF INTEREST CODE OF THE OFFICE OF THE CITY ATTORNEY.

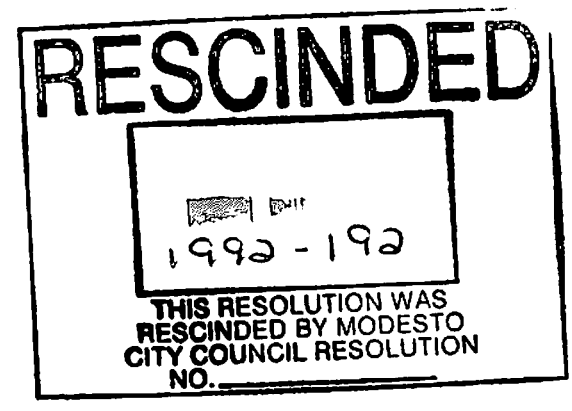
WHEREAS, a Conflict of Interest Code for the office of the City Attorney of the City of Modesto was approved by Modesto City Council Resolution No. 77-481 pursuant to Resolution No. 77-27 of the City of Modesto designating the agencies of the City of Modesto required to adopt a Conflict of Interest Code, and

WHEREAS, due to changed circumstances said Code should be amended, and

WHEREAS, the Council held a public hearing on June 2, 1981, to consider the proposed amendment,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Exhibit "A" of the Conflict of Interest Code of the Office of the City Attorney of the City of Modesto is hereby amended, as attached hereto, to add Assistant City Attorney I, II with Disclosure Category 1, and delete Assistant City Attorney with Disclosure Category 1, said amendment to be effective upon the adoption of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution



adopted by the following vote:

AYES	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

EXHIBIT "A"

Designated Positions	Disclosure Category
City Attorney	1
Deputy City Attorney I, II	1
Annexation/Relocation Assistant	1
Assistant City Attorney I, II	1

MODESTO CITY COUNCIL
RESOLUTION NO. 81-442

A RESOLUTION AMENDING THE CONFLICT OF INTEREST CODE OF THE OFFICE OF THE CITY MANAGER.

WHEREAS, a Conflict of Interest Code for the Office of the City Manager of the City of Modesto was approved by Modesto City Council Resolution No. 77-480 pursuant to Resolution No. 77-27 of the City of Modesto designating the agencies of the City of Modesto required to adopt a Conflict of Interest Code, and

WHEREAS, due to changed circumstances said Code has been previously amended by Modesto City Council Resolutions No. 78-950 and 80-70, and

WHEREAS, due to additional changed circumstances said Code should be further amended, and

WHEREAS, the Council held a public hearing on June 2, 1981, to consider the proposed amendment,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Exhibit "A" of the Conflict of Interest Code of the Office of the City Manager of the City of Modesto is hereby amended, as attached hereto, to add Risk Manager, with Disclosure Category 2, said amendment to be effective upon the adoption of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution

RESCINDED
1992-194
THIS RESOLUTION WAS RESCINDED BY MODESTO CITY COUNCIL RESOLUTION NO.

adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

EXHIBIT "A"

Designated Positions	Disclosure Category
City Manager	1
Director of Management Services	2
Management Assistant	2
Personnel Manager	2
Public Services Officer	2
Risk Manager	2

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 443

A RESOLUTION AMENDING THE CONFLICT OF INTEREST CODE OF THE FINANCE DEPARTMENT.

WHEREAS, a Conflict of Interest Code for the Finance Department of the City of Modesto was approved by Modesto City Council Resolution No. 77-483 pursuant to Resolution No. 77-27 of the City of Modesto designating the agencies of the City of Modesto required to adopt a Conflict of Interest Code, and

WHEREAS, due to changed circumstances said Code has been previously amended by Modesto City Council Resolution No. 77-1220, and

WHEREAS, due to additional changed circumstances said Code should be further amended, and

WHEREAS, the Council held a public hearing on June 2, 1981, to consider the proposed amendment,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Exhibit "A" of the Conflict of Interest Code of the Finance Department of the City of Modesto is hereby amended, as attached hereto, to add Purchasing Assistant II, with Disclosure Category 2, Purchasing Assistant I, with Disclosure Category 2, Senior Accountant, with Disclosure Categories 1 and 2, and Cost Analyst, with Disclosure Categories 1 and 2, and delete Purchasing Assistant with Disclosure Category 2, said amendment to be effective upon the adoption of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution

RESCINDED
1992-196
THIS RESOLUTION WAS RESCINDED BY MODESTO CITY COUNCIL RESOLUTION NO.

adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

EXHIBIT "A"

Designated Positions	Disclosure Category
Director of Finance	1, 2
Accounting Administrator	1, 2
Accountant	1, 2
Purchasing Officer	1, 2
Warehouse Supervisor	2
Data Processing Supervisor	3
Purchasing Assistant II	2
Purchasing Assistant I	2
Senior Accountant	1, 2
Cost Analyst	1, 2

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 444

A RESOLUTION AMENDING THE CONFLICT OF INTEREST CODE OF THE FIRE DEPARTMENT.

WHEREAS, a Conflict of Interest Code for the Fire Department of the City of Modesto was approved by Modesto City Council Resolution No. 77-484 pursuant to Resolution No. 77-27 of the City of Modesto designating the agencies of the City of Modesto required to adopt a Conflict of Interest Code, and

WHEREAS, due to changed circumstances said Code should be amended, and

WHEREAS, the Council held a public hearing on June 2, 1981, to consider the proposed amendment,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Exhibit "A" of the Conflict of Interest Code of the Fire Department of the City of Modesto is hereby amended, as attached hereto, to add Fire Battalion Chief (Fire Marshal), with Disclosure Categories 1 and 2, Fire Batallion Chief (Operations), with Disclosure Categories 1 and 2, and Fire Battalion Chief (all others), with Disclosure Category 2, and delete Assistant Chief with Disclosure Categories 1 and 2, Battalion Chiefs with Disclosure Category 2, and Fire Marshal with Disclosure Categories 1 and 2, and change Inspectors, with Disclosure Categories 1 and 2, to Inspectors, with Disclosure Category 2, said amendment to be effective upon the adoption of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution

RESCINDED
1992-197
THIS RESOLUTION WAS RESCINDED BY MODESTO CITY COUNCIL RESOLUTION NO.

adopted by the following vote:

AYES	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

EXHIBIT "A"

Designated Positions	Disclosure Category
Fire Chief	1, 2
Inspectors	2
Fire Battalion Chief (Fire Marshal)	1, 2
Fire Battalion Chief (Operations)	1, 2
Fire Battalion Chief (All others)	2

MODESTO CITY COUNCIL
RESOLUTION NO. 81-445

A RESOLUTION AMENDING THE CONFLICT OF INTEREST CODE OF THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT.

WHEREAS, a Conflict of Interest Code for the Department of Planning and Community Development of the City of Modesto was approved by Modesto City Council Resolution No. 77-487 pursuant to Resolution No. 77-27 of the City of Modesto designating the agencies of the City of Modesto required to adopt a Conflict of Interest Code, and

WHEREAS, due to changed circumstances said Code should be amended, and

WHEREAS, the Council held a public hearing on June 2, 1981, to consider the proposed amendment,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Exhibit "A" of the Conflict of Interest Code of the Department of Planning and Community Development of the City of Modesto is hereby amended, as attached hereto, to add Senior Rehabilitation Specialist, with Disclosure Category 1, Zoning Inspector, with Disclosure Category 1, and Assistant Zoning Inspector, with Disclosure Category 1, said amendment to be effective upon the adoption of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution

RESCINDED
1990-200
THIS RESOLUTION WAS RESCINDED BY MODESTO CITY COUNCIL RESOLUTION NO.

adopted by the following vote:

AYES	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

EXHIBIT "A"

Designated Positions	Disclosure Category
Director of Planning and Community Development	1
Senior Planner	1
Associate Planner	1
Assistant Planner	1
Housing Program Officer	1
Rehabilitation Specialist	1
Conservationist	1
Financial Specialist	1
Senior Rehabilitation Specialist	1
Zoning Inspector	1
Assistant Zoning Inspector	1

MODESTO CITY COUNCIL
RESOLUTION NO. 81-446

A RESOLUTION AMENDING THE CONFLICT OF INTEREST CODE OF THE POLICE DEPARTMENT.

WHEREAS, a Conflict of Interest Code for the Police Department of the City of Modesto was approved by Modesto City Council Resolution No. 77-488 pursuant to Resolution No. 77-27 of the City of Modesto designating the agencies of the City of Modesto required to adopt a Conflict of Interest Code, and

WHEREAS, due to changed circumstances said Code has been previously amended by Modesto City Council Resolution No. 79-474, and

WHEREAS, due to additional changed circumstances said Code should be further amended, and

WHEREAS, the Council held a public hearing on June 2, 1981, to consider the proposed amendment,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Exhibit "A" of the Conflict of Interest Code of the Police Department of the City of Modesto is hereby amended, as attached hereto, to add Police Lieutenant (Records), with Disclosure Category 2, and delete Police Records Commander, with Disclosure Category 2, said amendment to be effective upon the adoption of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution

RESCINDED
1992-201
THIS RESOLUTION WAS RESCINDED BY MODESTO CITY COUNCIL RESOLUTION NO.

adopted by the following vote:

AYES	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

EXHIBIT "A"

Designated Positions	Disclosure Category
Chief of Police	1
Assistant Chief of Police	1
Police Captain	1
Police Records Supervisor	2
Administrative Analyst	2
Police Lieutenant (Records)	2

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 447

RESCINDED
1992-202
THIS RESOLUTION WAS RESCINDED BY MODESTO CITY COUNCIL RESOLUTION NO.

A RESOLUTION AMENDING THE CONFLICT OF INTEREST CODE OF THE PUBLIC WORKS DEPARTMENT.

WHEREAS, a Conflict of Interest Code for the Public Works Department of the City of Modesto was approved by Modesto City Council Resolution No. 77-489 pursuant to Resolution No. 77-27 of the City of Modesto designating the agencies of the City of Modesto required to adopt a Conflict of Interest Code, and

WHEREAS, due to changed circumstances said Code has been previously amended by Modesto City Council Resolutions No. 77-1219, 78-383, 79-44, 80-72, 80-416, and 80-837, and

WHEREAS, due to additional changed circumstances said Code should be further amended, and

WHEREAS, the Council held a public hearing on June 2, 1981, to consider the proposed amendment,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Exhibit "A" of the Conflict of Interest Code of the Public Works Department of the City of Modesto is hereby amended, as attached hereto, to add Water System Inspector, with Disclosure Category 4(g), change Assistant Property Agent, with Disclosure Categories 4(g) and 4(h), to Assistant Property Agent, with Disclosure Categories 1, 2, 3, 4(a), 4(b) and 4(k), change Streets Maintenance Engineer with Disclosure Categories 1, 2, 3, 4(a), 4(b), and 4(f) to Streets Maintenance Engineer, with Disclosure Categories 1, 2, 3, 4(a), 4(b), 4(f), 4(g) and 4(h), and delete Water Superintendent with Disclosure Categories 1, 2, 3, 4(a), 4(b) and 4(g), Zoning Inspector with Disclosure Category 4(m), and Assistant Zoning Inspector with Disclosure Category 4(m).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

EXHIBIT "A"

Designated Positions	Disclosure Category
Administrative Analyst	4(g), 4(h)
Airport Manager	4(a), 4(b), 4(c)
Assistant Building Inspector	4(f)
Assistant Director of Public Works	1, 2, 3, 4(n)
Assistant Property Agent	1, 2, 3, 4(a), 4(b), 4(k)
Associate Civil Engineer	1, 2, 3, 4(n)
Building Inspector	4(f)
Building Maintenance Supervisor	4(e)
Chief Building Official	1, 2, 3, 4(a), 4(b), 4(f), 4(m)
Chief Electrician	4(a), 4(b), 4(h)
Civil Engineering Tech. III (Sdw. Program)	4(f)
Construction Inspector	4(f)
Director of Public Works/City Engineer	1, 2, 3, 4(n)
Shop Supervisor	4(a), 4(b), 4(d)
Industrial Waste Inspector	4(j)
Plan Review Engineer I	1, 2, 3, 4(a), 4(b), 4(f)
Property Agent	1, 2, 3, 4(a), 4(b), 4(k)
Senior Building Inspector	1, 2, 3, 4(a), 4(b), 4(f)
Streets Maintenance Engineer	1, 2, 3, 4(a), 4(b), 4(f), 4(g), 4(h)
Supervising Building Inspector	1, 2, 3, 4(a), 4(b), 4(f)
Wastewater Treatment Plant Supervisor	4(j)
Water Quality Control Superintendent	1, 2, 3, 4(a), 4(b), 4(j)
Water System Inspector	4(g)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-448

A RESOLUTION ADOPTING A REVISED SCHEDULE OF RATES AND CHARGES FOR THE COLLECTION OF GARBAGE IN THE CITY OF MODESTO.

WHEREAS, Section 5-5.32 of the Modesto Municipal Code provides that charges to customers for garbage service in the City of Modesto shall be set by the City Council by resolution and may be revised from time to time after holding a public hearing thereon, and

WHEREAS, the City Council has previously, by Resolution No. 79-1278, adopted a schedule of rates and charges for garbage service in the City of Modesto, and

WHEREAS, the City staff has recommended to the City Council a revised schedule of rates and charges for garbage service in the City of Modesto, and

WHEREAS, by Resolution No. 81-407 adopted on May 19, 1981, June 2, 1981, at 4:00 p.m. was set as the time and place for consideration of said recommended revised schedule of rates and charges for garbage service in the City of Modesto, and

WHEREAS, a public hearing was held at said time and place, at which time evidence, both oral and documentary, was received and considered, and

WHEREAS, it was found and determined by the Council of the City of Modesto that the schedule of rates and charges to be charged for the collection of garbage in the City of Modesto should be revised,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby adopts the following revised schedule of rates and charges for garbage service to be charged by all licensed collectors of garbage in the City of Modesto from July 1, 1981, until revised by the City Council:

CHARGES FOR GARBAGE SERVICE

STANDARD CONTAINERS

No. of Containers	Number of collections per week					
	1	2	3	4	5	6
1.	~~3.25~~ 3.75	~~6.50~~ 7.50	~~9.75~~ 11.25	~~13.00~~ 15.00	~~16.25~~ 18.75	~~19.50~~ 22.50
2.	~~4.90~~ 5.65	~~9.80~~ 11.30	~~14.70~~ 16.95	~~19.60~~ 22.60	~~24.50~~ 28.25	~~29.40~~ 33.90
3.	~~6.55~~ 7.55	~~13.10~~ 15.10	~~19.65~~ 22.65	~~26.20~~ 30.20	~~32.75~~ 37.75	~~39.30~~ 45.30
4.	~~8.20~~ 9.45	~~16.40~~ 18.90	~~24.60~~ 28.35	~~32.80~~ 37.80	~~41.00~~ 47.25	~~49.20~~ 56.70
5.	~~9.85~~ 11.35	~~19.70~~ 22.70	~~29.55~~ 34.05	~~39.40~~ 45.40	~~49.25~~ 56.75	~~59.10~~ 68.10
6.	~~11.50~~ 13.25	~~23.00~~ 26.50	~~34.50~~ 39.75	~~46.00~~ 53.00	~~57.50~~ 66.25	~~69.00~~ 79.50

The standard container rates shall apply for service when containers are placed in a location as set forth in Section 5-5.10 Container Locations (a.1) (a.2). If it is necessary for the collector to enter a fenced yard and/or go more than fifty(50) feet from the property line but less than one hundred(100) feet from the property line to reach a container there shall be added to the regular monthly collection charge an additional charge of seventy-five ~~(75)~~ (1.00) cents per month. When containers are located at a distance greater than one hundred (100) feet from the property line or there are three or more containers within a fenced yard or more than fifty (50) feet from the property line which requires additional trips by the garbage collector, this shall be handled as a Special Service Condition for which the rates are to be established by negotiation.

DETACHABLE CONTAINERS

Container Size	Number of collections per week					
	1	2	3	4	5	6
1 CY	~~8.00~~ 9.20	~~16.00~~ 18.40	~~24.00~~ 27.60	~~32.00~~ 36.80	~~40.00~~ 46.00	~~48.00~~ 55.20
1 1/2 CY	~~12.00~~ 13.80	~~24.00~~ 27.60	~~36.00~~ 41.40	~~48.00~~ 55.20	~~60.00~~ 69.00	~~72.00~~ 82.80
2 CY	~~16.00~~ 18.40	~~32.00~~ 36.80	~~48.00~~ 55.20	~~64.00~~ 73.60	~~80.00~~ 92.00	~~96.00~~ 110.40
3 CY	~~24.00~~ 27.60	~~48.00~~ 55.20	~~72.00~~ 82.80	~~96.00~~ 110.40	~~120.00~~ 138.00	~~144.00~~ 165.60
4 CY	~~32.00~~ 36.80	~~64.00~~ 73.60	~~96.00~~ 110.40	~~128.00~~ 147.20	~~160.00~~ 184.00	~~192.00~~ 220.80

DETACHABLE CONTAINER RENTAL RATES NOT INCLUDED IN ABOVE SCHEDULE

Detachable container size	1 CY	1 1/2 CY	2 CY	3 CY	4 CY
Monthly rental rate	~~7.00~~ 8.05	~~7.50~~ 8.65	~~8.00~~ 9.20	~~8.50~~ 9.80	~~9.00~~ 10.35

DROP-BOX CONTAINERS

Pickup charge	~~50.00/~~ $57.50 Pickup		
Rental	$2.00 ~~1.75/~~ Day with	~~$40.00~~ $46.00	maximum for each 30-day rental period
Disposal charge	Actual charge		

Garbage company will provide up to 40 CY Drop-box containers for above stated charges subject only to load limit of transfer vehicle.

EXTRA PICKUPS

Standard containers or equivalent	3.50 ~~$3.00~~	plus $0.60 ~~$0.50~~/container
Detachable containers	8.00 ~~$7.00~~	plus ~~$1.00~~ 1.15/CY

SPECIAL SERVICE CONDITIONS

In situations where none of the above rates reasonably apply, the cost of service is to be negotiated between the garbage company and the customer.

DETACHABLE CONTAINER ONLY REPLACEMENT AND CLEANING SERVICE

1 CY	1 1/2 CY	2 CY	3 CY	4 CY
~~8.00~~ 9.20	~~8.75~~ 10.00	~~9.50~~ 11.00	~~12.50~~ 14.40	~~16.00~~ 18.40

NOTATIONS

1. Where the landlord pays for all cans in one location, it shall be regarded as one service. Each location in which cans are placed for collection must be regarded as a separate service.
2. Where tenant pays for can collection, regardless of location, it shall be regarded as one service.

BE IT FURTHER RESOLVED, that any person who has prepaid garbage service charges for residential garbage services for the calendar year 1981 shall be entitled to receive garbage service for the balance of said calendar year of 1981 at the prepaid rates.

BE IT FURTHER RESOLVED, that Resolution No. 79-1278 is hereby rescinded, effective June 30, 1981.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-449

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, FOR A GRANT UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED. (TRANSIT OPERATIONS-FY1981-82.)

WHERAS, the Secretary of Transportation is authorized to make grants for mass transportation projects, and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs, and

WHEREAS, it is required by the U. S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964, and the U. S. Department of Transportation requirements thereunder, and

WHEREAS, it is the goal of the Applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. That the City Manager of the City of Modesto is authorized to execute and file an application on behalf of the City of Modesto with the U. S. Department of Transportation, to aid in the financing of the City's transit operations in Fiscal Year 1981-82, pursuant to Section 5 of the Urban Mass Transportation Act of 1964, as amended.

2. That the City Manager of the City of Modesto is authorized to execute and file with such applications an assurance or any other document required by the U. S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

3. That Douglas J. Carmody, Director of Parking and Traffic, is authorized to furnish such additional information as the U. S. Department of Transportation may require in connection with the application or the project.

4. That the City Manager of the City of Modesto is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.

5. That the City Manager of the City of Modesto is authorized to execute grant contract agreements on behalf of the City of Modesto with the U. S. Department of Transportation for aid in financing of transit operations.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly

seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Lang, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-450

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE REPLACEMENT OF APPARATUS DOORS AT FIRE STATION NO. 1

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the replacement of apparatus doors at Fire Station No. 1

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 23, 1981, at 11:00 a.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-451

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING LANDSCAPE MAINTENANCE SERVICES FOR THE 1981-82 FISCAL YEAR

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing landscape maintenance services for the 1981-82 fiscal year

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 23, 1981, at 2:00 p.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-452

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE INSTALLATION OF IRRIGATION SYSTEM AT MANCINI PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the installation of irrigation system at Mancini Park

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 23, 1981 at 11:10 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-453

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE INSTALLATION OF PLAY APPARATUS IN MUNCY PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the installation of play apparatus in Muncy Park

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 23, 1981, at 11:15 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-454

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF BUS FUELING FACILITY

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of bus fueling facility

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 23, 1981 at 11:05 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-455

A RESOLUTION ACCEPTING THE BID OF STANISLAUS PUMP FOR THE CONSTRUCTION OF T-HANGAR "J" AT THE MODESTO CITY-COUNTY AIRPORT

WHEREAS, Resolution No.81-253, adopted by the Council of the City of Modesto on April 7, 1981 , approved the plans and specifications for the the construction of T-hangar "J" at the Modesto City-County Airport and authorized the calling for bids; and

WHEREAS, the bids received for the construction of T-hangar "J" at the Modesto City-County Airport were opened at 11:05 a.m. on May 5, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Stanislaus Pump in the amount of $153,057.74 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Stanislaus Pump in the amount of $153,057.74 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June , 1981 , by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-456

A RESOLUTION ACCEPTING THE CONSTRUCTION OF RESIDENTIAL ALLEY RECONSTRUCTION PROJECT #8 AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** residential alley reconstruction Project #8 **has been completed by** Lee White Paving Company

in accordance with the contract agreement dated March 24, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of residential alley reconstruction, Project #8 **be accepted from said contractor,** Lee White Paving Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $21,931.39 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd **day of** June, 19 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-457

A RESOLUTION ACCEPTING THE BID OF FLINTKOTE CEMENT AND LIME COMPANY ON ITEMS 1, 3 AND 4 AND M.J. RUDDY AND SON ON ITEMS 2, 5, 6, 7 AND 8 FOR THE CITY'S ANNUAL REQUIREMENTS OF ROCK, SAND, AND GRAVEL PRODUCTS

WHEREAS, Resolution No.81-322, adopted by the Council of the City of Modesto on April 28, 1981, approved the plans and specifications for the furnishing of City's annual requirements of rock, sand, and gravel products and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of the City's annual requirements of rock, sand, and gravel products were opened at 2:15 p.m. on May 19, 1981, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bids of Flintkote Cement and Lime Company on Items 1, 3, and 4, and M.J. Ruddy and Son on Items 2, 5, 6, 7 and 8 be accepted as the lowest responsible bidders.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bids of Flintkote Cement and Lime Company on Items 1, 3, and 4, and M.J. Ruddy and Son on Items 2, 5, 6, 7 and 8 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-458

A RESOLUTION ACCEPTING THE BID OF PUREGROW COMPANY FOR FURNISHING LIQUID ANHYDROUS AMMONIA ANNUAL REQUIREMENTS

WHEREAS, Resolution No.81-324, adopted by the Council of the City of Modesto on April 28, 1981 , approved the plans and specifications for the annual requirements of liquid anhydrous ammonia and authorized the calling for bids; and

WHEREAS, the bids received for the annual requirements of liquid anhydrous ammonia were opened at 2:00 p.m. on May 19, 1981 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of PureGrow Company in the amount of $228.57 per ton be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of PureGrow Company in the amount of $228.57 per ton be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June , 19 81, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-459

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY SANDERS CONSTRUCTION CO. CONCERNING A DECISION OF THE PLANNING COMMISSION REGARDING A P-D APPLICATION, PROPERTY LOCATED AT THE SOUTHEAST CORNER OF FLOYD AVENUE AND OAKDALE ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 23, 1981 , at 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Sanders Construction Co. concerning a decision of the Planning Commission regarding a P-D application, property located at the southeast corner of Floyd Avenue and Oakdale Road.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd **day of** June, 19 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-460

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF HAROLD SCHULENBERG FROM THE BOARD OF ZONING ADJUSTMENT EFFECTIVE JUNE 2, 1981

WHEREAS, Harold Schulenberg was appointed a member of the Board of Zoning Adjustment on August 1, 1967; and

WHEREAS, Harold Schulenberg has tendered his resignation from the Board of Zoning Adjustment, effective June 2, 1981; and

WHEREAS, Harold Schulenberg has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED that the resignation of Harold Schulenberg from the Board of Zoning Adjustment be, and hereby is accepted with regret.

BE IT FURTHER RESOLVED that the Council of the City of Modesto, on its own behalf, and on behalf of the citizens of this City, hereby expresses its sincere appreciation to Harold Schulenberg for his outstanding service to the community.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 1981, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-461

A RESOLUTION APPROVING/AMENDED AGREEMENT BETWEEN THE CITY OF MODESTO AND SEVEN UTILITY PAY STATIONS TO INCREASE FEES PAID, FROM 9¢ PER BILL TO 13¢ PER BILL, EFFECTIVE JUNE 1, 1981

BE IT HEREBY RESOLVED by the Council of the City of Modesto amended **that the /agreement between the City of Modesto and** seven utility pay stations to increase fees paid, from 9¢ per bill to 13¢ per bill, effective June 1, 1981

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd **day of** June, **19**81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-462

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND BOB G. AND LARRY D. MOSS FOR THE ACQUISITION OF 842.6± SQUARE FEET OF THEIR PROPERTY NEEDED FOR SIDEWALKS - SUNRISE/LUCERN TO NORWEGIAN PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Bob G. and Larry D. Moss **for** acquisition of 842.6± square feet of their property needed for the sidewalks - Sunrise/Lucern to Norwegian project **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd **day of** June, **19** 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-463

AMENDED
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND SENIOR OPPORTUNITY SERVICES PROGRAM OF STANISLAUS COUNTY, INC., TO ALLOW A CHANGE IN USE AT THE CITY-OWNED PROPERTY AT 416 DOWNEY

BE IT HEREBY RESOLVED by the Council of the City of Modesto
amended
that the/agreement between the City of Modesto and Senior Opportunity Services Program of Stanislaus County, Inc. to allow them to move their boutique to 416 Downey Avenue

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd **day of** June, **19** 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-464

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON SERVICE REDUCTIONS AND FARE INCREASES ON INTRACITY TRANSIT AND DIAL-A-RIDE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that July 7, 1981 , at 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** service reductions and fare increases on Intracity Transit and Dial-A-Ride to comply with new State mandated fare box revenue percentages that the City's two transit systems must achieve beginning with the 1981-82 fiscal year.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd **day of** June, 19 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-465

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 26-3-9 OF THE ZONING MAP - BRIGHT CONSTRUCTION

WHEREAS, the Modesto City Planning Commission held a public hearing on May 18, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 26-3-9 of the Zoning Map to rezone from P-D(77) to R-1, property located on the west side of Capistrano Drive extended north of Yosemite Boulevard

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-125 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 26-3-9 of the Zoning Map be set for June 23, 1981, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

A portion of the Southwest Quarter of Section 26, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in Stanislaus County, California, described as follows:

Beginning at a point on the north line of Yosemite Avenue on the northerly prolongation of the centerline of Beard Avenue, which said point of beginning is located North 0° 33' 30" West 33.00 feet and South 89° 53' 24" East 1,321.00 feet from the South Quarter corner of said Section 26, and proceeding thence from said point of beginning along the said Northerly line of Yosemite Avenue North 89° 53' 24" West 491.00 feet; thence North 0° 33' 30" West 667.00 feet; thence South 89° 53' 24" East 552.57 feet; thence South 27° 27' West 31.16 feet; thence 195.46 feet along the arc of a 400-foot radius curve concave to the East, subtended by a central angle of 27° 59' 50" and having a chord bearing of South 13° 27' 05" West with a chord length of 182.21 feet; thence South 0° 32' 50" East 451.00 feet, more or less, to the point of beginning.

Excepting therefrom all of the southerly 334.00 feet of the above described property.

SCHEDULE "A"

BRIGHT CONSTRUCTION

MODESTO CITY COUNCIL
RESOLUTION NO. 81-466

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 13-3-8 OF THE ZONING MAP - BRIGHT CONSTRUCTION

WHEREAS, the Modesto City Planning Commission held a public hearing on May 18, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 13-3-8 of the Zoning Map to rezone from P-D(112) to R-1, property located at the southeast corner of Rumble Road and Conant Avenue

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-127 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 13-3-8 of the Zoning Map be set for June 23, 1981, at 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

P-D(112) to R-1

The west 528 feet of the most northerly 475 feet of the following described parcel. Parcel A of the Parcel Map filed June 2, 1966, in Volume 1 of Parcel Maps, at page 153 and being a portion of the Northeast Quarter of Section 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian.

Including also the easterly 20 feet of Conant Avenue and the southerly 20 feet of Rumble Road immediately adjacent to the said west 528 feet of the most northerly 475 feet of said Parcel A.

SCHEDULE "A"

BRIGHT CONSTRUCTION

MODESTO CITY COUNCIL
RESOLUTION NO. 81-467

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 10-3-9 OF THE ZONING MAP-(STONE BROS. AND ASSOCIATES)

WHEREAS, the Modesto City Planning Commission held a public hearing on May 18, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 10-3-9 of the Zoning Map to rezone from R-2 to P-D(305) to allow conversion of existing duplexes to condominiums, property located on the east side of Coffee Road north and south of Grand Prix Drive the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-118 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 10-3-9 of the Zoning Map be set for June 23, 1981, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

R-2 to P-D

All that certain real property situate in a portion of the Northwest Quarter of Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, being described as follows:

BEGINNING at the intersection of the centerline of Monteview Drive with the centerline of Bywood Lane, as shown on map of Sylvan Meadows East No. 6, filed for record in Volume 28 of Maps at Page 32, Stanislaus County Records; thence North 0°48' West, along said centerline of Monteview Drive, a distance of 930.61 feet to the intersection with the centerline of Fernview Drive; thence North 66°19'22" West 40.00 feet to the Northeast corner of Lot 6, Block 12587 in said Sylvan Meadows East No. 6; thence North 55°37'41" West, along the northeasterly line of said Lot 6, a distance of 34.98 feet; thence South 89°12' West along the northerly line of said Lot 6 and the westerly extension thereof, a distance of 125.00 feet, to the centerline of Coffee Road; thence South 0°48' East, along said centerline of Coffee Road a distance of 1032.00 feet; thence North 89°12' East, along the South line of Lot 14, Block 12574, in said Sylvan Meadows East No. 6 and the westerly extension thereof, a distance of 145.00 feet thence continuing along said south line North 31°18'08" East, 38.87 feet to the West line of Monteview Drive; thence North 36°41'06" East 40.00 feet to the point of beginning.

SCHEDULE "A"

STONE BROS. AND ASSOCIATES

MODESTO CITY COUNCIL
RESOLUTION NO. 81-468

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 19-3-9 OF THE ZONING MAP - CARPENTER ROAD ASSOCIATES

WHEREAS, the Modesto City Planning Commission held a public hearing on May 18, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 19-3-9 of the Zoning Map to rezone from M-1 to P-D(304) to allow professional office condominium and bank site, property located on the southeast corner of Carpenter Road and Blue Gum Avenue the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-120 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 19-3-9 of the Zoning Map be set for June 23, 1981, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Parcels 1 and 2 as shown on the map filed in Volume 30 of Parcel Maps at page 136, Stanislaus County Records, lying in the southwest quarter of Section 19, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, Modesto, California.

Including also all of the southerly 30 feet of Blue Gum Avenue and the easterly 50 feet of Carpenter Road immediately adjacent to the above described property.

SCHEDULE "A"

CARPENTER ROAD ASSOCIATES

MODESTO CITY COUNCIL
RESOLUTION NO. 81-469

A RESOLUTION REFERRING TO THE STANISLAUS COUNTY LOCAL AGENCY FORMATION COMMISSION A CLAIM BY THE CITY OF MODESTO FOR APPORTIONMENT OF ASSETS BY THE WOODLAND AVENUE FIRE PROTECTION DISTRICT UPON ANNEXATION OF DISTRICT TERRITORY TO THE CITY OF MODESTO (KANSAS AVENUE ADDITION AND KANSAS AVENUE NO. 2 ANNEXATION).

WHEREAS, on July 10, 1978, the City of Modesto annexed uninhabited territory known as the Kansas Avenue Addition, and

WHEREAS, on February 27, 1979, the City of Modesto annexed inhabited territory known as the Kansas Avenue No. 2 Annexation, and

WHEREAS, both of said territories were withdrawn from the Woodland Avenue Fire Protection District, and

WHEREAS, pursuant to the provisions of Section 13954 of the Health and Safety Code of the State of California said withdrawal obligated the City of Modesto and the Woodland Avenue Fire Protection District to establish a mutually agreeable basis for the distribution of the property and assets of the district, and

WHEREAS, the City of Modesto has submitted to the Woodland Avenue Fire Protection District a claim for apportionment of assets in the amount of $7738.93 for the Kansas Avenue Addition, and

WHEREAS, the City of Modesto has submitted to the Woodland Avenue Fire Protection District a claim for apportionment of assets in the amount of $2854.08 for the Kansas Avenue No. 2 Annexation, and

WHEREAS, the Woodland Avenue Fire Protection District disputes the basis of said apportionments, and

WHEREAS, Section 13954 of the Health and Safety Code of the State of California provides that when such a dispute arises, the matter should be submitted to the Local Agency Formation Commission,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that pursuant to the provisions of Section 13954 of the Health and Safety Code of the State of California, it does hereby submit to the Stanislaus County Local Agency Formation Commission, the issue of establishing a mutually agreeable basis for the apportionment of the property and assets of the Woodland Avenue Fire Protection District between said District and the City of Modesto, said apportionment being necessitated by the City's Kansas Avenue Addition and Kansas Avenue No. 2 Annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-470

A RESOLUTION APPROVING APPROPRIATION TRANSFER TO FINANCE THE ANIMAL CONTROL CENTER ($60,000 ADDITIONAL) AND THE COMMUNICATIONS CENTER ($120,000 ADDITIONAL) AS PROVIDED BY AGREEMENTS WITH STANISLAUS COUNTY

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Exigency Reserve (61-01 8911 01)	$180,000
	County Central Comm.-Fire (204-01 1832 01)	26,800
TO:	Contractual Services - Police (240-00 1964 01)	$ 60,000
	County Central Comm.-Police (204-01 1901 01)	146,800

To provide payments for joint County-cities communication center and the animal shelter

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd **day of** June, 19 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-471

A RESOLUTION APPROVING APPLICATION FOR A GRANT THROUGH THE OFFICE OF CRIMINAL JUSTICE PLANNING FOR AN "ORGANIZED JUVENILE OFFENDERS DIVISION PROGRAM"

WHEREAS, the City of Modesto desires to undertake a certain project designated "Organized Juvenile Offenders Division Program" to be funded in part from funds made available through the "Juvenile Justice and Delinquency Prevention Act of (PL 93-415)", administered by the Office of Criminal Justice Planning (hereafter referred to as OCJP).

NOW, THEREFORE, BE IT RESOLVED that Garth Lipsky, City Manager of the City of Modesto is authorized, on its behalf to submit the attached Application for Grant for Law Enforcement Purposes to OCJP and is authorized to execute on behalf of the City of Modesto the attached Grant Award for law enforcement purposes including any extensions or amendments thereof.

BE IT FURTHER RESOLVED that the applicant agrees to provide all matching funds required for said project (including any extension or amendment thereof) under the "Juvenile Justice and Delinquency Prevention Act of 1974 (PL 93 415)" and the rules and regulations of OCJP and the Law Enforcement Assistance Administration and that cash will be appropriated as required thereby.

BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant law enforcement expenditures controlled by this body.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-472

A RESOLUTION DIRECTING STAFF TO CONTACT LOCAL INDUSTRIES TO DETERMINE REQUIREMENTS FOR A STEAM GENERATING PLANT

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby direct staff to contact local industries and industries contemplating plant construction in the Modesto area to determine their requirements for steam and to discuss other technical matters that would affect the design of a steam generating plant tailored to the needs of the potential customers.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 8th day of June, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-473

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (298).

WHEREAS, a verified application for an amendment to Section 10-3-9 of the Zoning Map was filed by Robert Weeks on January 2, 1981, to reclassify from High Density Residential Zone, R-3, to Planned-Development Zone, P-D, the following described property:

ALL of Parcel "3", as shown on the map filed in Book 28 of Parcel Maps, at Page 46, Stanislaus County Records, and a portion of the southwest quarter of Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, City of Modesto, County of Stanislaus, State of California, described as follows:

Beginning at the West quarter corner of said Section 10, being at the intersection of the centerline of Sylvan Avenue with the centerline of Coffee Road; thence North 89°26' East, along the quarter section line and centerline of Sylvan Avenue, 580.22 feet to the intersection with the centerline of Kingswood Drive as shown on abovereferenced map; thence South 0°34' East along said centerline, 827.95 feet to the intersection with the centerline of Princewood Lane as shown on abovereferenced map; thence South 89°12'50" West along said centerline, 577.05 feet to the West line of said Section 10 and centerline of Coffee Road as shown on abovereferenced map; thence North 0°47'10" West along said section line and centerline, 830.17 feet to the Point of Beginning.

WHEREAS, after public hearing held on February 17, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The site is opposite a neighborhood shopping center - a center of activity - and an appropriate location for office zoning.
2. The location of the financial institution is consistent with the P-D policy for the location of financial institutions.
3. While the extent of zoning exceeds the guidelines (300' depth) this plan is supportable with its generous landscaping and surrounding four streets to handle traffic.

WHEREAS, after a public hearing held on May 12 and June 9, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Robert Weeks for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2043-C.S. on the 9th day of June, 1981, reclassifying the above-described property from High Density Residential Zone, R-3, to Planned-Development Zone, P-D (298).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(298) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan titled "Coffee-Sylvan Office Park" as amended in red, stamped approved by the Planning Commission on February 17, 1981.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code.

3. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash and other debris.

4. The developer shall complete improvements of Coffee Road and Sylvan Avenue to major street standards prior to occupancy or upon demand by City, whichever occurs first.

5. The developer shall complete improvements of Kingswood and Princewood to collector street standards prior to occupancy or upon demand by the City, whichever occurs first.

6. Prior to issuance of a building permit, street improvement plans shall be approved by the Director of Public Works.

7. Prior to issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the Director of Public Works.

8. Drainage shall be provided as required by the Director of Public Works.

9. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

10. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

11. All signs shall comply with the sign requirements of the P-O Zone, except that one free standing identification sign, a maximum of 16 square feet and 8 feet high is permitted at each driveway.

12. The applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. Hydrants shall be installed and operable prior to construction of any structures.

13. Prior to issuance of a building permit for the financial institution (Building Q) the applicant shall obtain Planning Commission approval of a revised plot plan that effectively deals with the traffic generated by the drive-in tellers.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (298) :

Phase I	Buildings A, B, C, begin by March 1, 1983, complete by December 31, 1983
Phase II	Buildings D, E, F, begin by March 1, 1984, complete by December 31, 1984
Phase III	Buildings G, H, J, begin by March 1, 1985, complete by December 31, 1985
Phase IV	Buildings K, L, M, begin by March 1, 1986, complete by December 31, 1986
Phase V	Buildings N, P, Q, begin by March 1, 1987, complete by December 31, 1987

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (298) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore

NOES: Councilmembers: Patterson, Siefkin, Mayor Mensinger

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Edwyn L. Johnson
EDWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Michael C. Herrera
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-474

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 10-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (ROBERT WEEKS)

WHEREAS, on June 9, 19 81, **the City Council** introduced Ordinance No. 2043 - C. S. **giving approval to a project relating to** an amendment to Section Map 10-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from High Density Residential Zone, R-3, to Planned Development Zone, P-D(298), **and**

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 10-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from High Density Residential Zone, R-3, to Planned Development Zone, P-D(298).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore

NOES: Councilmembers: Patterson, Siefkin, Mayor Mensinger

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn E. Johnson
ELWYN E. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-475

A RESOLUTION DETERMINING THAT AN AMENDMENT TO SECTION 29-3-9 OF THE ZONING MAP TO REZONE FROM LOW DENSITY RESIDENTIAL ZONE, R-1, AND MEDIUM HIGH DENSITY RESIDENTIAL ZONE, R-3, TO PROFESSIONAL OFFICE ZONE, P-O, IS NECESSARY; GRANTING THE APPEAL OF RACOR DEVELOPMENT; AND OVERRULING THE DECISION OF THE PLANNING COMMISSION.

WHEREAS, a verified application for an amendment to Section 29-3-9 of the Zoning Map was filed by Racor Development on April 1, 1981, to reclassify from Low Density Residential Zone, R-1, and Medium High Density Residential Zone, R-3, to Professional Office Zone, P-O, property located at the northeast corner of Needham and Sycamore Avenues, described as follows:

R-1 and R-3 To P-O

ALL that certain real property situate in a portion of the northeast quarter of Section 29, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

R-1 To P-O

All of the Southerly 19.00 feet of Lot 13 of City of Modesto Block 534.

Including also all of the east one-half of Sycamore Avenue and the west one-half of the 18-foot wide alley in said Block.

R-3 To P-O

All of Lots 14, 15, 16, and 17 of City of Modesto Block 534.

Including also all of the east one-half of Sycamore Avenue, the West one-half of the 18-foot wide alley in said Block and the northerly 42.5 feet located between the original centerline of Needham Street and said Lot 17,

and

WHEREAS, a public hearing was held on said application before the Planning Commission at its meeting of May 4, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, thereafter the Planning Commission adopted Resolution No. 81-112 determining that rezoning of the property as requested was not required by public necessity, convenience, and general welfare for the reason set forth in said Planning Commission Resolution No. 81-112, and denied the application of Racor Development to rezone the property described above from Low Density Residential Zone, R-1, and Medium High Density Residential Zone, R-3, to Professional Office Zone, P-O, and

WHEREAS, an appeal to the decision of the Planning Commission was filed with the City Council of the City of Modesto by Racor Development by a letter dated May 5, 1981, and

WHEREAS, on May 12, 1981, the City Council, by Resolution No. 81-377, set said appeal for a public hearing on June 9, 1981, in the Council Chambers located in the City Hall, 801 - 11th Street, Modesto, California, at 7:30 o'clock p.m., at which time evidence both oral and documentary was taken and introduced, and

WHEREAS, the City Council certifies it has received and reviewed the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project, and

WHEREAS, after said public hearing, the Council of the City of Modesto found and determined that the rezoning as requested by Racor Development to amend Section 29-3-9 of the Zoning Map to reclassify the above described property from Low Density Residential Zone, R-1, and Medium High Density Residential Zone, R-3,

to Professional Office Zone, P-O, should be granted for the reasons set forth below:

1. The P-O Zone is a transition between the C-2 Zone of the downtown grid and residential areas to the north.

2. The developer's intent is to produce a residential appearing structure with underground parking and no parking directly off of the alley which will be very compatible with surrounding residential areas.

3. This 17,500 square foot corner lot is of sufficient size to make the developer's plans feasible,

and

WHEREAS, at its meeting held on June 9, 1981, the Council has introduced Ordinance No. 2044- C. S. reclassifying the above-described property from Low Density Residential Zone, R-1, and Medium High Density Residential Zone, R-3, to Professional Office Zone, P-O,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by Racor Development to the Decision of the Planning Commission, as set forth in Planning Commission Resolution No. 81-112 denying rezoning from Low Density Residential Zone, R-1, and Medium High Density Residential Zone, R-3, to Professional Office Zone, P-O, of the above described property located at the northeast corner of Needham and Sycamore Avenues in the City of Modesto, is hereby granted, for the reasons set forth above, and the decision of the Planning Commission denying the requested rezoning is hereby overruled.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed rezoning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1981, by Councilmember Elliott, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and ordered printed and publishe by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson

NOES: Councilmembers: Siefkin, Mayor Mensinger

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By W S Nichols by
Director of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 476

A RESOLUTION AMENDING PLANNED DEVELOPMENT ZONE, P-D(21), PROPERTY LOCATED AT THE SOUTHEAST CORNER OF TULLY ROAD AND STANDIFORD AVENUE, TO ALLOW A FAMILY AMUSEMENT MACHINE CENTER. (TULLY MANOR SHOPPING CENTER)

WHEREAS, City Council Ordinance No. 748-C. S., effective October 27, 1976, as amended by Ordinance No. 1964-C. S., effective September 4, 1980, granted P-D(21) to the Pacific Investment Company (Stone Bros. and Associates) to allow commercial, professional office, multiple family, church, and other uses on property on the south side of Standiford Avenue and on both sides of Tully Road, and

WHEREAS, City Council Resolution No. 65-502, adopted on September 13, 1965, approved the development plan and schedule for P-D(21) and also contained the conditions of approval for the development of said uses on the P-D(21) property, and

WHEREAS, a verified application for an amendment to Planned Development Zone, P-D(21), was filed by Jerold and Jeanette Rosenthal on April 24, 1981, to allow a family amusement machine center in said P-D(21) on property located at the southeast corner of Tully Road and Standiford Avenue, and

WHEREAS, said application was set for a public hearing before the Planning Commission on May 4, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 81-110, found and determined that an amendment to Planned Development Zone, P-D(21) to allow a family amusement machine center in said P-D Zone on property located at the southeast corner of Tully Road and Standiford Avenue, is required by public necessity, convenience, and general welfare, and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on June 9, 1981, and

WHEREAS, the City Council certifies it has reviewed and considered the findings of the Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed amendment to Planned Development Zone, P-D(21), and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to Planned Development Zone, P-D(21) to allow a family amusement machine center on property located at the southeast corner of Tully Road and Standiford Avenue, is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed family amusement machine center, a C-2 Zone use, can properly be located at the Standiford-Tully commercial intersection due to the wider range of uses and service radius of this expanded commercial area.

2. Compatibility of the proposed family amusement machine center with the adjoining neighborhood residential development is assured due to its major street orientation and separation by many other businesses.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that an amendment to Planned Development Zone, P-D(21) to allow a family amusement machine center on property located at the southeast corner of Tully Road and Standiford Avenue be approved, subject to the following conditions:

1. All development shall conform to the plot plan entitled "Exhibit 'B' Leasing Plan: as amended in red, stamped approved by the Planning Commission on May 4, 1981, and on file in the office of the Director of Planning and Community Development.

2. Clear vision from the front windows into the family amusement machine center must be maintained.

3. The family amusement machine center must be well lighted during operating hours.

4. The family amusement machine center may be inspected by the Police Department at any time.

5. Except as modified above, the remainder of the conditions relating to Planned Development Zone, P-D(21), including, but not limited to the condition that all businesses in the shopping center may be open to the public only between the hours of 7:00 a.m. and 10:00 p.m. of each day, seven days a week, with certain exceptions, shall remain in full force and effect as established by City Council Resolution No. 65-502 adopted on September 13, 1965, and modified thereafter.

BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed amendment to Planned Development Zone, P-D(21).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: Elliott, Muratore

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-477

A RESOLUTION AMENDING PLANNED DEVELOPMENT ZONE, P-D(53), PROPERTY LOCATED AT THE NORTHEAST CORNER OF SYLVAN AVENUE AND COFFEE ROAD.

WHEREAS, City Council Ordinance No. 942-C. S., which was introduced on December 16, 1968, finally adopted on January 6, 1969, and which became effective on February 5, 1969, granted P-D(53) to allow a 10-acre neighborhood shopping center at the northeast corner of Coffee Road and Sylvan Avenue, and

WHEREAS, City Council Resolution No. 68-1148, adopted on December 16, 1968, approved the development plan and schedule for P-D(53) and also contained the conditions of approval for the development of said uses on the P-D(53) property, and

WHEREAS, a verified application for an amendment to P-D(53) was filed by Berberian Trust Property, c/o U.S.A. Real Estate on April 1, 1981, to allow a building expansion on the neighborhood shopping center including a restaurant and bar serving alcoholic beverages with or without food, on property located at the northeast corner of Sylvan Avenue and Coffee Road, and

WHEREAS, said application was set for a public hearing before the Planning Commission on May 4, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 81-115, found and determined that an amendment to P-D(53) to allow a building expansion on the neighborhood shopping center including a restaurant and bar serving alcoholic beverages with or without food, on property located at the northeast corner of Sylvan Avenue and Coffee Road, is required by public necessity, convenience, and general welfare for the following reasons:

1. Hard liquor in addition to beer and wine with or without meals at this location, with its prevailing hours limitations, should not post any significant land use conflicts.

2. The specific site is oriented toward the Sylvan Avenue frontage, a substantial distance from any residential rear yards.

3. Current 10 p.m. closing hours and other conditions of approval will help assure compatibility with the surrounding area, and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on June 9, 1981, and

WHEREAS, the City Council certifies it has reviewed and considered the findings of the Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed amendment to Planned Development Zone, P-D(53), and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to P-D(53) to allow a building expansion on the neighborhood shopping center including a restaurant and bar serving alcoholic beverages with or without food, on property located at the northeast corner of Sylvan Avenue and Coffee Road, is required by public necessity, convenience, and general welfare for the reasons set forth in Planning Commission Resolution No. 81-115 and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said amendment to P-D(53) to allow a building expansion to the neighborhood shopping center, including a restaurant with bar serving alcoholic beverages with or without food, as referred to herein, shall be in accordance with the following conditions, which supersede all prior conditions established for Planned Development Zone, P-D(53):

1. All development shall conform to the plot plan titled "Site Plan, Amendment to P-D(53)" as amended in red, stamped approved by the Planning Commission on May 4, 1981.

2. That prior to the issuance of a building permit a landscaping and irrigation plan shall be submitted by the applicant and approved by both the Planning Commission and the City Council. Landscaping and the irrigation system shall be installed and maintained in accordance with the approved landscaping and irrigation plan. Irrigation shall be underground sprinkler system. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation for any new landscape areas and for increasing the screen landscaping along the northeast boundary in accordance with Section 10-2.1515 of the Modesto Municipal Code.

3. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. That the development shall be connected to the City of Modesto water and sewage facilities in accordance with the requirements of the Director of Public Works.

5. That all parking and driveway areas shall be improved in accordance with the provisions of Sections 10-2.1801, 10-2.1804, 10-2.1808 of the Municipal Code. On site drainage must be maintained on site and must be approved by the City Engineer.

6. That the applicant shall install four fire hydrants in the pipeline system therefor in accordance with the requirements and to the specifications of the Fire Chief. These hydrants shall be installed prior to occupancy of the premises.

7. That all trash shall be maintained within buildings or within solid masonary wall enclosures. Said enclosures shall be set outside the driveways and shall not be located closer than 40 feet to any adjacent residentially zoned properties. The location and design of said enclosures must be approved by the Planning Director.

8. That the supermarket shall be the first use within the center to open for business.

9. That the 6 foot solid decorative masonary wall along the boundary between the shopping center and the adjacent residentially zoned property be completed prior to the opening of the supermarket.

10. All outdoor lighting shall be shielded from ajacent residental properties as required by the Director of Public Works.

11. That no operations conducted on the shopping center premises shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration, or electrical interference detectable off the premises. All machinery or equipment located on the shopping center premises shall be sound proofed in accordance with the requirements of the Director of Public Works and shall not be located closer than 40 feet to adjacent residentially zoned properties.

12. That all activities in the loading dock areas northeast of the supermarket and super drug store including the parking of trucks may be conducted only between the hours of 7 a.m. and 10 p.m. of each day.

13. That the loading dock areas northeast of the supermarket and super drug store may not be used for outside storage of any type of material with the exception of trash which may be stored in solid masonry wall enclosures.

14. That all businesses in the shopping center may be open to the public only between the hours of 7 a.m. and 10 p.m. of each day 7 days a week, unless a use permit is obtained from the Board of Zoning Adjustment in accordance with the provisions of Article 20 of Chapter 2 of Title X of the Modesto Municipal Code after a public hearing to allow one or more businesses to be open for additional business hours.

15. That prior to the issuance of a building permit, the developer shall dedicate sufficient street right-of-way to provide for minimum of 40 feet wide part width collector streets along both the northwest and northeast boundaries of the shopping center as shown in red on the approved plot plan.

16. That prior to the issuance of a building permit, the developer shall submit street improvement plans prepared by a registered civil engineer for approval by the City Engineer.

17. That the developers shall improve the unnamed streets along the northwest and northeast boundaries of the shopping center at a minimum to a 40 foot park width collector street standard in accordance with the requirements of the Director of Public Works.

18. That all public improvements including fire hydrants shall be installed prior to the occupancy of the premises or by October 9, 1978 whichever occurs first.

19. That prior to the issuance of the building permit, if all required public improvements have not been installed, a cash deposit savings and loan certificate surety bond or other instrument of credit in an amount to be determined by the City Engineer shall be filed with the City Clerk to guarantee installation of public improvements including the fire hydrants by October 9, 1978, or prior to occupancy whichever occurs first.

20. That one free standing shopping center identification sign shall be permitted on both the Coffee Road and Sylvan Avenue street frontages as shown on the plot plan. Said free standing signs shall not exceed 20 feet in height and 72 square feet in total sign area. All other signs shall comply with the sign regulations of the H-1 Zone.

21. That prior to the issuance of a building permit, the applicant shall either initiate proceedings to rezone to P-D(53), the small triangular area at the northwest corner of the shopping center currently zoned R-1 or shall redesign the loading area driveway at the northwest corner of the shopping center so that said driveway does not cross said small triangler area for access to the adjoining unnamed street.

22. If the applicant initiates proceedings to rezone to P-D(53) the small triangular area at the northwest corner of the shopping center currently zoned R-1, then prior to occupancy of the premises, said small triangler area shall be split from the adjoining property and added to the P-D(53) property by parcel map.

23. Prior to issuance of a building permit for any structure, the applicant shall remove the masonary trash enclosure located on Haig Way north of building "C" out of the 15 foot set-back area.

BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed amendment to Planned Development Zone, P-D(53).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Mayor Mensinger

NOES: Councilmembers: Siefkin

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn E. Johnson
ELWYN E. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-478

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (303).

WHEREAS, a verified application for an amendment to Section 7-3-9 of the Zoning Map was filed by Sanders Construction c/o Design Concepts on March 23, 1981, to reclassify from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D, the following described property:

R-1 to P-D

ALL that certain real property situated in the southwest quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, City of Modesto, County of Stanislaus, State of California, described as follows:

All that portion of Parcel 4 as shown on the Record of Survey map recorded in Volume 14 of Surveys, at Page 171, and all of Lot 1, Block 13313 as shown on the map of Applegate No. 5 as recorded in Volume 24 of Maps at Page 62, Stanislaus County Records, more particularly described as follows:

Commencing at the West quarter corner of said Section 7; thence South 0°02'50" East on the West line of Section 7, a distance of 992.63 feet to the northwest corner of said Parcel 4 and the POINT OF BEGINNING of this description; thence South 88°15'40" East on the North line of said Parcel 4 a distance of 1174.00 feet; thence South 0°00'49" East, 498.20 feet to the prolongation of the present centerline of 60 foot wide Sheldon Avenue; thence South 88°18'45" East on said centerline prolongation, 140.32 feet to the northerly prolongation of the easterly line of said Lot 1 of Applegate No. 5; thence South 0°00'17" East along said northerly prolongation 30.01 feet to the northeast corner of said Lot 1 of Applegate No. 5 and the present South line of 60 foot wide Sheldon Avenue; thence South 0°00'17" East on the East line of Lot 1, a distance of 105.94 feet to the southeast corner of said Lot 1, thence North 88°18'45" West on the South line of Lot 1, a distance of 428.84 feet to the southwest corner of said Lot 1 and a point on the easterly line of said Parcel 4; thence South 78°46'01" West on the easterly line of Parcel 4, a distance of 352.98 feet to the beginning of a curve concave to the southeast, having a radius of 70.55 feet and

a central angle of 40°04'23"; thence southwesterly on the arc of said curve and the easterly line of said Parcel 4, a distance of 49.34 feet; thence continuing on said easterly line South 38°41'38" West, 315.65 feet to the southeast corner of said Parcel 4 and the most westerly corner of said Applegate No. 5 subdivision; thence North 88°23'20" West on the South line of said Parcel 4, a distance of 304.27 feet to the West line of said Section 7; thence North 0°02'50" West on the West line of said Section 7, a distance of 987.95 feet to the point of beginning.

Containing 21.55 gross acres more or less.

WHEREAS, after public hearing held on May 4, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D zone is well within the density limitations of the General Plan.

2. The site design is good, provides sufficient and well distributed parking and common open space, satisfies privacy concerns, and provides an alternate housing type for residents in this neighborhood, as called for in the General Plan.

WHEREAS, after a public hearing held on June 9, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Sanders Construction c/o Design Concepts for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2047-C.S. on the 9th day of June, 1981, reclassifying the above-described property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D (303).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(303) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan and floor plans titled "Young Ranch, A Townhouse Development" as amended in red, stamped approved by the Planning Commission on May 4, 1981.

2. The applicant shall submit revised plot plans showing all changes required by the Planning Commission prior to the City Council hearing. All development shall conform to these revised plans as amended in red, stamped approved by the Planning Commission on May 4, 1981.

3. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code.

4. Fencing shall be constructed prior to occupancy and shall be as follows:

   Seven foot solid wall or fence around all patio areas and on the project periphery.

5. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

6. All private streets and parking areas shall be constructed in accordance with the standard structural section for residential streets as contained in the City of Modesto Standard Specifications.

7. Drainage shall be provided as required by the Director of Public Works.

8. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

9. All utilities shall be underground and cable television service shall be stubbed into all units.

10. All signs shall comply with the sign requirements of the R-1 Zone.

11. Prior to the issuance of a building permit for any structure, a subdivision map shall be recorded.

12. Prior to issuance of a building permit for any development, the developer shall submit evidence in a form satisfactory to the City Attorney, that there has been created a Homeowners' Association to guarantee common facility and private property improvement and maintenance in accordance with the approved plans.

13. All curbcuts serving two-way driveways shall be widened to 41 feet in width.

14. The applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. Hydrants shall be installed and operable prior to construction of any structures.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (303):

Phase 1 is the south phase to start on or before July 1, 1983 and completion to be not later than July 1, 1985.

Phase 2 is the north phase to start on or before July 1, 1985 and completion to be not later than July 1, 1987.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (303) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Arnold
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-479

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 7-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (SANDERS CONSTRUCTION)

WHEREAS, on June 9, 1981, the City Council introduced Ordinance No. 2047-C.S. giving approval to a project relating to an amendment to Section Map 7-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(303), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 7-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(303).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-480

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE SYLVAN NEIGHBORHOOD PARK TRAINING POOL

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for construction of the Sylvan Neighborhood Park training pool

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 30, 1981, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-481

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE KANSAS AVENUE WATERLINE EXTENSION

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the Kansas Avenue waterline extension

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 30, 1981, at 11:05 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-482

A RESOLUTION ACCEPTING THE PROPOSAL OF MODESTO BLUE PRINTERS TO FURNISH BLUEPRINT SERVICES FOR THE CITY OF MODESTO FOR THE 1981-82 FISCAL YEAR

WHEREAS, informal bids were opened on April 30, 1981, for blueprint services for the City of Modesto for the 1981-82 Fiscal Year; and

WHEREAS, the Modesto Blue Printers was the only blueprint service that responded with a proposal; and

WHEREAS, the proposal submitted by Modesto Blue Printers to furnish blueprint services for the City of Modesto for the 1981-82 Fiscal Year at the price of 8 cents per square foot is considered acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the proposal of Modesto Blue Printers to furnish blueprint services for the City of Modesto for the 1981-82 Fiscal Year is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1981, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-483

A RESOLUTION ACCEPTING THE BID OF CENTRAL VALLEY SAFETY FOR ANNUAL DRY-CELL BATTERY REQUIREMENTS

WHEREAS, Resolution No. 81-341, adopted by the Council of the City of Modesto on May 5, 1981, approved the plans and specifications for the annual dry-cell battery requirements and authorized the calling for bids; and

WHEREAS, the bids received for the annual dry-cell battery requirements were opened at 2:00 p.m. on May 26, 1981, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Central Valley Safety for 59% off list prices for Bright Star batteries be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Central Valley Safety for 59% off list prices for Bright Star batteries be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-484

A RESOLUTION ACCEPTING THE BID OF WESTERN STATES TESTING FOR ANNUAL COMPACTION, AGGREGATE, AND CONCRETE TESTING SERVICES

WHEREAS, Resolution No. 81-323 adopted by the Council of the City of Modesto on April 28, 1981, approved the plans and specifications for the annual compaction, aggregate, and concrete testing services and authorized the calling for bids; and

WHEREAS, the bids received for the annual compaction, aggregate, and concrete testing services were opened at 2:05 p.m. on May 26, 1981, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Western States Testing with an estimated cost of $9,375 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Western States Testing with an estimated cost of $9,375 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-485

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINE EXTENSION IN PRINCETON AVENUE AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** waterline extension in Princeton Avenue **has been completed by** W. Gale Fisher, Inc.

in accordance with the contract agreement dated February 3, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterline extension in Princeton Avenue **be accepted from said contractor,** W. Gale Fisher, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $11,070.80 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th **day of** June, 19 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-486

A RESOLUTION ACCEPTING THE DEMOLITION OF THE FORMER BOOK NOOK BUILDING AT 9TH AND I STREETS AS COMPLETE

WHEREAS, a report has been filed by the Director of Parking and Traffic **that the** demolition of the former Book Nook building at 9th and I Streets **has been completed by** Morrow & Waggoner

in accordance with the contract agreement dated April 7, 1981.

NOW, THEREFORE, BE IT RESOLVED that the demolition of the former Book Nook building at 9th and I Streets **be accepted from said contractor,** Morrow & Waggoner;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $2,390 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th **day of** June, **19** 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-487

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPLICATION BY CHARLES PRENTICE TO OPERATE TAXI CABS IN MODESTO

BE IT HEREBY RESOLVED by the Council of the City of Modesto that July 7, 1981, at 4:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of an application by Charles Prentice to operate taxi cabs in Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-488

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REGARDING THE USE OF SPECIAL ASSESSMENT BOND FINANCING

BE IT HEREBY RESOLVED by the Council of the City of Modesto that July 28, 1981, at 7:30 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of the use of special assessment bond financing.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-489

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REGARDING AN APPEAL BY CHUCK MOODY TO A DECISION OF THE CITY MANAGER CONCERNING REIMBURSEMENT FOR MOVING EXPENSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 16, 1981, at 4:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of an appeal by Chuck Moody to a decision of the City Manager concerning reimbursement for moving expenses.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-490

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND YOSEMITE COMMUNITY COLLEGE DISTRICT TO WAIVE ALL FEES FOR USE OF EACH AGENCY'S FACILITIES BY THE OTHER AGENCY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Yosemite Community College District **for** waiver of all fees for use of each agency's facilities by the other agency

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th **day of** June, **19** 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-491

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WORLD INVESTMENTS NO. 4 TO ACQUIRE 2.53± ACRES OF LAND NEEDED FOR THE TUOLUMNE RIVER REGIONAL PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and World Investments No. 4 to acquire 2.53± acres of land needed for the Tulumne River Regional Park

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th **day of** June, 19 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-492

A RESOLUTION ESTABLISHING PAYROLL PERIODS FOR EMPLOYEES OF THE CITY OF MODESTO AND RESCINDING RESOLUTION NO. 77-655.

WHEREAS, the Council of the City of Modesto by Resolution No. 77-655, adopted on June 20, 1977, established payroll periods for employees of the City of Modesto, when payroll checks are to be distributed, and

WHEREAS, it is now desirable to give the City Manager authority to authorize distribution of payroll checks prior to the regularly established day when employees are not scheduled to work on the regular distribution day.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. Commencing July 5, 1977, the payroll period for employees of the City of Modesto, except temporary part-time recreation employees and parking lot attendants, shall consist of successive periods of fourteen (14) calendar days, which will be distributed every other Friday commencing July 22, 1977, provided that the City Manager may authorize prior distribution when employees are not scheduled to work on the regular distribution day.

SECTION 2. Commencing June 20, 1977, the payroll period for temporary part-time recreation employees and parking lot attendants shall consist of successive periods of fourteen (14) calendar days, which will be distributed every other Friday commencing June 24, 1977.

SECTION 3. When the day for distribution for payroll as provided for herein falls on an authorized holiday, the payroll will be distributed on the first regular workday immediately prior thereto, except under emergency conditions the City Manager may authorize the payroll to be distributed after the holiday.

SECTION 4. Resolution No. 77-655 adopted by the Council on the 20th day of June, 1977, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-493

A RESOLUTION ACCEPTING IMPROVEMENTS IN WOODGLEN PARK NO. 3 SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, Joaquin Construction Co., Inc. , subdividers of Woodglen Park No. 3 Subdivision , have filed Instruments of Credit for faithful performance and labor and materials in the amount of $465,500 and $232,750 respectively to guarantee improvements in Woodglen Park No. 3 Subd. ; and

WHEREAS, the Director of Public Works in a memorandum dated May 29, 1981 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Instruments of credit upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Woodglen Park No. Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit for faithful performance in the amount of $465,500 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Instrument of Credit for labor and materials in the amount of $232,750 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June , 1981 by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-494

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LOWRY ACCOUNTANCY CORPORATION, AUDITORS, TO AUDIT DOWNTOWN MULTILEVEL PARKING FACILITY PROJECT IN ACCORDANCE WITH FEDERAL ECONOMIC DEVELOPMENT ADMINISTRATION POLICIES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Lowry Accountancy Corporation, auditors, to audit Downtown Multilevel Parking Facility Project (EDA Project No. 07-01-02191) for a maximum of $3,000, in accordance with Federal Economic Development Administration policies **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th **day of** June, **19**81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-495

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR HATCH ROAD NO. 2 GOVERNMENTAL REORGANIZATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for Hatch Road No. 2 Governmental Reorganization Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-496

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 23-3-9 OF THE ZONING MAP-(G.O. ENTERPRISES)

WHEREAS, the Modesto City Planning Commission held a public hearing on June 1, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 23-3-9 of the Zoning Map to rezone from C-1 to P-D(306) to allow C-1 uses and two restaurants to have separate cocktail lounges and serve alcoholic beverages with or without sale of food, property located on the east side of Oakdale, south of Surrey Avenue, the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-135 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 23-3-9 of the Zoning Map be set for June 23, 1981, 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

C-1 to P-D

All that certain real property situate in a portion of the Southwest quarter of Section 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

All of Block 1405 of SCENIC VILLAGE UNIT NO. 1, as per Map filed August 19, 1964, in Volume 20 of Maps, page 82, Stanislaus County Records.

Including all of Parcel A as shown on the parcel map filed in Book 5 of Parcel Maps at page 64 in the Office of the Recorder of Stanislaus County, California, on May 1, 1968.

Also including the south one-half of Surrey Avenue, the east one-half of Oakdale Road, the 30.00 foot wide north-south alley bordering the eastern boundary of the property requested for rezoning, and the 31.77 foot wide Modesto Irrigation District easement all immediately adjacent to the above described property.

EXCEPTING THEREFROM that portion described as follows:
COMMENCING at the northeast corner of said Block 1405; thence along the North line of said Block 1405 a distance of 245.04 feet to the true point of beginning of this description; thence continuing West along said North line, 119.80 feet; thence along a curve concave to the Southeast having a radius of 15.00 feet, through a central angle of 90° 45' 00" a curve distance of 23.76 feet to a point on the West line of said Block 1405; thence South along said West line, 119.80 feet; thence East, parallel to the North line of said Block 1405, a distance of 135 feet; thence North parallel to the West line of said Block 1405 a distance of 135 feet to the true point of beginning.

SCHEDULE "A"
G.O. ENTERPRISES

MODESTO CITY COUNCIL
RESOLUTION NO. 81-497

HOLD HARMLESS
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS COUNTY FOR THE LOAN OF TWO TRANSPORTATION VANS ON JUNE 13, 1981, GRAFFITI NIGHT

BE IT HEREBY RESOLVED by the Council of the City of Modesto
hold harmless
that the /agreement between the City of Modesto and Stanislaus County

for the loan of their two transportation vans on June 13, 1981, Graffiti Night

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th **day of** June, **19**81, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-498

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY ANTHONY MISTLIN, MISTLIN HONDA, TO A DECISION OF THE BOARD OF ZONING ADJUSTMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 23, 1981, at 7:30 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of an appeal by Anthony Mistlin, Mistlin Honda, to a decision of the Board of Zoning Adjustment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-499

A RESOLUTION ACCEPTING THE BID OF FLINTKOTE CEMENT COMPANY FOR FURNISHING THE CITY'S ANNUAL REQUIREMENTS OF READY-MIXED CONCRETE PRODUCTS

WHEREAS, Resolution No.81-343, adopted by the Council of the City of Modesto on May 5, 1981 , approved the plans and specifications for the purchase of annual requirements of ready-mixed concrete products and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of annual requirements of ready-mixed concrete products were opened at 2:10 p.m. on June 2, 1981 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Flintkote Cement Company be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Flintkote Cement Company be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of June , 1981 , by Councilmember Patterson , who moved its adoption, which motion being duly seconded by Councilmember Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-500

A RESOLUTION ACCEPTING THE BID OF CRYSTAL POOL SERVICE AND ALL PURE CHEMICAL ON SWIMMING POOL CHLORINE AND ACID PRODUCTS

WHEREAS, Resolution No. 81-344, adopted by the Council of the City of Modesto on May 5, 1981, approved the plans and specifications for the the purchase of swimming pool chlorine and muratic acid and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of swimming pool chlorine and acid products were opened at 2:00 p.m. on June 2, 1981, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Crystal Pool Service for chlorine tablets and muratic acid and All Pure Chemical Company for liquid chlorine be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Crystal Pool Service for chlorine tablets and muratic acid and All Pure Chemical Company for liquid chlorine be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of June, 1981, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-501

A RESOLUTION ACCEPTING THE BID OF DEE BURTON FOR PROJECT NO. 11 - REPLACEMENT OF CURB, DRIVE APRONS AND SIDEWALKS AT VARIOUS LOCATIONS

WHEREAS, Resolution No. 81-424, adopted by the Council of the City of Modesto on May 26, 1981, approved the plans and specifications for the Project No. 11 - replacement of curb, drive aprons and sidewalks at various locations and authorized the calling for bids; and

WHEREAS, the bids received for the Project No. 11 - replacement of curb, drive aprons and sidewalks at various locations were opened at 11:05 a.m. on June 9, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Dee Burton in the amount of $84,700 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Dee Burton in the amount of $84,700 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of June, 1981, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-502

A RESOLUTION ACCEPTING THE BID OF THE FLINTKOTE COMPANY FOR IMPROVEMENTS TO SYLVAN AVENUE BETWEEN MCHENRY AVENUE AND COFFEE ROAD

WHEREAS, Resolution No. 81-390 adopted by the Council of the City of Modesto on May 19, 1981 , approved the plans and specifications for the improvements to Sylvan Avenue between McHenry Avenue and Coffee Road and authorized the calling for bids; and

WHEREAS, the bids received for the improvements to Sylvan Avenue between McHenry Avenue and Coffee Road were opened at 11:00 a.m. on June 9, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of The Flintkote Company in the amount of $172,414.20 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of The Flintkote Company in the amount of $172,414.20 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of June , 1981 , by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-503

A RESOLUTION ACCEPTING THE BID OF CALIFORNIA SPORTS CONSTRUCTION FOR THE INSTALLATION OF SONOMA PARK PLAY APPARATUS

WHEREAS, Resolution No. 81-370 adopted by the Council of the City of Modesto on May 12, 1981 , approved the plans and specifications for the installation of Sonoma Park play apparatus and authorized the calling for bids; and

WHEREAS, the bids received for the installation of Sonoma Park play apparatus were opened at 11:00 a.m. on June 2, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of California Sports Construction in the amount of $24,490 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of California Sports Construction in the amount of $24,490 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of June , 1981 , by Councilmember Patterson , who moved its adoption, which motion being duly seconded by Councilmember Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-504

A RESOLUTION WAIVING FORMAL BID PROCEDURES FOR THE 1981-82 FISCAL YEAR AND AUTHORIZE THE PURCHASE OF GAS AND DIESEL FROM THE SOURCE WITH THE BEST AVAILABLE PRICE OR FROM ANY OTHER SOURCE AVAILABLE IN THE EVENT OF RESTRICTED SUPPLIES

WHEREAS, since deregulation of fuel purchases, the City of Modesto has had authorization by Resolution No. 81-135 to buy gas and diesel from either our old supplier of record or from any other source available and it is suggested that the City proceed with shopping for the best fuel price on an as-needed basis.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the 1981-82 Fiscal Year is hereby waived.

BE IT FURTHER RESOLVED that purchase of gas and diesel from the source with the best available price or from any other source available in the event of restricted supplies is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of June, 1981, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-505

A RESOLUTION AUTHORIZING THE TEMPORARY EMERGENCY TRANSFER OF SIX CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE TAXICABS FROM OTIS D. LEE, DOING BUSINESS AS MODESTO CAB COMPANY, TO PENNIE HUDSON, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING ON THE TRANSFER OF SAID CERTIFICATES.

WHEREAS, a request was filed with the Council of the City of Modesto by Pennie Hudson to transfer six certificates of public convenience and necessity to operate taxicabs in the City of Modesto from Otis D. Lee, doing business as "Modesto Cab Company", and

WHEREAS, in order to continue to serve the public with the number of taxicabs currently serving the City, said temporary transfer of certificates is considered an emergency,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the temporary emergency transfer of six certificates of public convenience and necessity to operate taxicabs in the City of Modesto from Otis D. Lee, doing business as "Modesto Cab Company" to Pennie Hudson is hereby authorized.

BE IT FURTHER RESOLVED by the Council that July 7, 1981, at 4:00 p.m., in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for a public hearing for consideration of the transfer of Modesto Cab Company certificates of public convenience and necessity from Otis D. Lee to Pennie Hudson.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of June, 1981, by Councilmember

Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-506

A RESOLUTION AUTHORIZING EXECUTION OF ENDEMNITY AND HOLD HARMLESS AGREEMENT, AND RELEASE, IN FAVOR OF CITY OF SAN MATEO

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Modesto does hereby authorize Garth Lipsky, City Manager, to execute in favor of and deliver to City of San Mateo, the "Indemnity and Hold Harmless Agreement, and Release, In Favor of City of San Mateo", for the enrollment of three police officers in the San Mateo Police Department's 82-hour motorcycle training course for peace officers.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of June, 1981, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-507

A RESOLUTION SETTING TIME AND PLACE FOR HEARING OF NECESSITY TO ACQUIRE ONE AVIGATION EASEMENT FOR MODESTO CITY-COUNTY AIRPORT FROM ROBERT ADKISON

BE IT HEREBY RESOLVED by the Council of the City of Modesto that July 21, 1981 , at 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** acquiring one avigation easement for the Modesto City-County Airport from Robert Adkison.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th **day of** June, 19 81, **by Councilmember** Patterson, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Bright, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-508

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND EDWIN R. AND JOSEPHINE A. DIAS FOR ACQUISITION OF AN AVIGATION EASEMENT FOR THE MODESTO CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Edwin R. and Josephine A. Dias **for** acquisition of 0.09± acres located off the end of Runway 28R for an avigation easement for the Modesto City-County Airport **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th **day of** June, **19** 81, **by Councilmember** Patterson, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-509

A RESOLUTION APPROVING THE FINAL MAP OF THE HILLSBORO HEIGHTS SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Carrie Hill Freese, as to a Life Estate, and Transworld Financial Corp., Inc., a corporation

is ~~are~~ possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 6.108 acres, known as the Hillsboro Heights Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 17th day of December, 1979, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Hillsboro Heights Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of June, 1981, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Council-

member Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-510

A RESOLUTION AUTHORIZING AN AMENDMENT TO COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TO PERMIT EXPANSION OF BOUNDARIES OF HOUSING MAINTENANCE PROGRAM TARGET AREA #3

WHEREAS, an area was left out of Target Area #3 because Modesto High School was considering expanding; and

WHEREAS, the Modesto School Board is no longer entertaining the option of expanding to that area which will leave approximately 95 houses unrehabed; and

WHEREAS, staff is requesting approval of amending the Community Development Block Grant application to include that portion bordered by Alturas, Paradise, Yosemite and Tuolumne to Phase 1 and that portion bordered by Rosedale, Sierra, Roselawn and Tuolumne to Phase 2 of Housing Improvement Area #3.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto does hereby approve amending the Community Development Block Grant application to permit expansion of boundaries of Housing Maintenance Program Target Area #3.

BE IT FURTHER RESOLVED that the execution of said amendment to the Community Development Block Grant application by the designated city officials is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of June, 1981, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-511

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JAMES V. BROOKS, SR. ADJUSTERS, TO ACT AS CLAIMS ADMINISTRATORS IN HANDLING THE CITY'S WORKERS' COMPENSATION PROGRAM

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and James V. Brooks, Sr., Adjusters **for** claims administrators in handling the City's Workers' Compensation Program

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th **day of** June, **19** 81, **by Councilmember** Patterson, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 512

A RESOLUTION VACATING AND ABANDONING AN AERIAL PORTION OF THE 16 FOOT PUBLIC UTILITIES EASEMENT IN BLOCK 68 OF THE CITY OF MODESTO PURSUANT TO SECTION 8333 OF THE STREETS AND HIGHWAYS CODE.

WHEREAS, Section 8333 and following of the California Streets and Highways Code authorize a city council, by resolution, to vacate and abandon easements, and

WHEREAS, there is an aerial easement in Block 68 over the real property described in Exhibit "A" attached hereto, which is a portion of a 16-foot public utilities easement, and

WHEREAS, the Council finds and declares that:

1. The abandonment and vacation is made pursuant to Chapter 4 of Part 3 of Division 9 of the Streets and Highways Code.

2. The easement has not been used for the purpose for which it was dedicated or acquired for five (5) consecutive years immediately preceding the proposed vacation.

3. That from and after the date this resolution is recorded, the easement vacated will no longer constitute a public utility easement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that an aerial portion of the 16-foot public utility easement in Block 68 in the City of Modesto which is described in Exhibit "A", which is attached hereto and incorporated by reference herein be, and it is hereby vacated and abandoned, such vacation and abandonment to be effective upon the recording of a certified copy of this resolution in the Stanislaus County Recorder's Office.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of June, 1981, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn I. Johnson
ELWYN I. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Roo Campbell
Public Works Department

LD 81-G
Parcel 68-7

VACATE AND ABANDON A PORTION
OF THE 16 FOOT PUBLIC UTILITIES EASEMENT IN BLOCK 68

All that real property in the State of California, County of Stanislaus, City of Modesto, being a portion of the Southeast quarter of Section 29, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of the 16 foot Public Utilities Easement reserved by Resolution recorded July 15, 1980 as Instrument 2439, in Volume 3337, Page 332, Stanislaus County Records, described as follows:

All rights to that air space lying above a plane (Elev. 103.50) 10 feet above ground level (Elev. 93.50) over the following described property:

The Northeastern 7.00 feet of the Northwestern 19.00 feet of the Southwestern 16.00 feet, all measured at right angles, of the following described property:

Beginning at the most Easterly corner of Lot 17 in Block 68 of the CITY OF MODESTO, as per map filed December 21, 1942, in Volume 15 of Maps, Stanislaus County Records, said point being on the Northwestern line of 100.00 foot "I" Street; thence along the Northeastern line of Lots 17, 18, 19 and 20 in said Block 68 of the City of Modesto, North 43° 29' 30" West, 100.00 feet, to the most Northerly corner of said Lot 20; thence North 46° 30' 30" East, 20.00 feet, to the most Westerly corner of Lot 13 in Block 68; thence along the Southwestern line of Lots 13, 14, 15 and 16 in Block 68, South 43° 29' 30" East, 100.00 feet, to the most Southerly corner of said Lot 16 and a point on said Northwestern line of "I" Street; thence along the Northwestern line of "I" Street, South 46° 30' 30" West, 20.00 feet, to the point of beginning.

Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 81-513

A RESOLUTION APPROVING THE ADDITION OF NEW STREETS TO THE MANDATORY SIDEWALK PROGRAM OF THE CITY OF MODESTO.

WHEREAS, the schedule of streets included in the Mandatory Sidewalk Program of the City of Modesto was approved by the City Council on May 3, 1976, and

WHEREAS, said schedule is nearing completion and there is a need to identify additional streets for said program,

NOW, THEREFORE, BE IT RESOLVED by the Council that the additional streets listed on Exhibit "A" attached hereto, and made a part hereof as though set forth in full herein, are added to the Mandatory Sidewalk Program of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of June, 1981, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

ADDITIONAL STREETS TO BE INCLUDED IN THE MANDATORY SIDEWALK PROGRAM OF THE CITY OF MODESTO

E. Granger and E. Roseburg - McHenry to Sunrise

East Fairmont Avenue - Sunrise to Coffee Road

Lucern Avenue - Sunrise to Coffee Road

Kearney Avenue - Del Vista to Pearl

South Avenue - Sutter to Rosemont

Rouse Avenue - Wade to Sutter

Rosina Avenue - Miller to Encina

Conejo Avenue - Miller to Encina

Haddon Avenue - El Vista to Kingston

Encina Avenue - Fortuna to Colfax

Budd Street - Crommlin to Conant

Crommlin Avenue - Brenner to Budd Street

Tokay Street - McHenry to Sunrise

Fremont Avenue - Joaquin to Bowen

Joaquin Street - Fremont to Enslen

Las Palmas Avenue - Yosemite to Encina

EXHIBIT "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 81-514

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 10-3-9 OF THE ZONING MAP - U.S. BY PRODUCTS

WHEREAS, the Modesto City Planning Commission held a public hearing on June 1, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 10-3-9 of the Zoning Map to rezone from a portion of P-D(211) to Planned Development Zone, P-D(308), property located on the southwest corner of Oakdale Road and Sylvan Avenue to allow a neighborhood shopping center
the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-141 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 10-3-9 of the Zoning Map be set for July 7, 1981, 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of June, 1981, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain real property situate in a portion of the Southeast Quarter of Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian and lying within the City of Modesto, County of Stanislaus, State of California, described as follows:

BEGINNING at the East Quarter corner of said Section 10, said point being the centerline intersection of Sylvan Avenue with Oakdale Road; thence South 0° 10' 55" West along the East line of said Section 10, and said centerline of Oakdale Road, a distance of 752.66 feet; thence North 89° 49' 05" West, 723.45 feet; thence North 18° 36' 35" West, 7.44 feet, thence Northeasterly along an arc of a tangent curve to the right, having a radius of 400.00 feet, through a central angle of 46° 32' 00", an arc distance of 324.86 feet to a point of compound curvature; thence Northwesterly along an arc of a compound curve to the left, having a radius of 300.00 feet, through a central angle of 27° 12' 10", an arc distance of 142.43 feet; thence tangent to the preceding curve North 0° 43' 15" East, 300.00 feet to the intersection with the East-West Quarter Section Line of said Section 10 and said centerline of Sylvan Avenue; thence South 89° 16' 45" East along said East-West Line and said centerline of Sylvan Avenue a distance of 663.93 feet to the Point of Beginning.

SCHEDULE "A"

US. BY PRODUCTS

MODESTO CITY COUNCIL
RESOLUTION NO. 81-515

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 10-3-9 OF THE ZONING MAP - JOHN PALLIOS AND JIM LAMATIS

WHEREAS, the Modesto City Planning Commission held a public hearing on June 1, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 10-3-9 of the Zoning Map to repeal P-D(150) and rezone to R-1, property located at the northwest corner of Oakdale Road and Sylvan Avenue

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-140 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 10-3-9 of the Zoning Map be set for July 7, 1981, 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of June, 19 81, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain real property situate in a portion of the northeast quarter of Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Beginning at the East quarter corner of said Section 10, said corner being the centerline intersection of Oakdale Road with Sylvan Avenue; thence South 89° 26' 00" West, along the East-West quarter section line of said Section 10, and the centerline of Sylvan Avenue, a distance of 663.84 feet to a point which is 10.00 feet westerly of the North-South quarter quarter quarter line of said Section 10; thence North 0° 53' 25" West, parallel with and 10.00 feet westerly measured at right angles from said North-South quarter quarter quarter line, a distance of 730.33 feet; thence North 89° 23' 40" East, 663.86 feet to a point on the East line of said Section 10; thence South 0° 53' 20" East, along said East line of Section 10, and the centerline of Oakdale Road, a distance of 730.78 feet to the point of beginning.

SCHEDULE "A"
JOHN PALLIOS/JIM LAMATIS

MODESTO CITY COUNCIL
RESOLUTION NO. 81-516

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 28-3-9 OF THE ZONING MAP - BLAKE HASTON

WHEREAS, the Modesto City Planning Commission held a public hearing on June 1, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 28-3-9 of the Zoning Map to rezone from R-3 to P-D(309) to allow a two-story business/professional office at 717 16th Street between G and H Streets

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-139 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 28-3-9 of the Zoning Map be set for July 7, 1981, 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of June, 1981, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

ALL that certain real property situate in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 8 and 9 in Block 120 of the City of Modesto, including also all of the Northeast one-half of the alley in said Block 120 and the Southwest one-half of 16th Street immediately adjacent to the above described property.

SCHEDULE "A"

BLAKE HASTON

MODESTO CITY COUNCIL
RESOLUTION NO. 81-517

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO P-D(287)- OAKWOOD BUILDERS

WHEREAS, the Modesto City Planning Commission held a public hearing on June 1, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to P-D(287) to allow the already approved office complex to be developed as office condominiums, property located at the southwest corner of Oakdale Road and E. Orangeburg Avenue; and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-137 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to P-D(287) of the Zoning Map be set for July 7, 1981, 4:00 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of June, 1981, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-518

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 21-3-9 OF THE ZONING MAP - (GARY FANT)

WHEREAS, the Modesto City Planning Commission held a public hearing on June 1, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 21-3-9 of the Zoning Map to rezone from R-1 and R-2 to P-D(307) to allow a 52-unit one-story addition to the Melrose Manor residential care home, located at the southeast corner of Corson and Melrose the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-136 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 21-3-9 of the Zoning Map be set for July 7, 1981, 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of June, 1981, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

R-1 to P-D

All that certain real property situate in a portion of the Southwest quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcel B as shown on that certain parcel map filed in the Office of the Recorder of Stanislaus County, California, on May 7, 1974, in Book 19, of Parcel Maps, at Page 10.

Including also all of Lot 6 and the Southern 56.77 feet of Lot 7 of Palmetto Park, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on January 25, 1939, in Volume 11 of Maps, Page 56.

Including also the Eastern one-half of Melrose Avenue; all of Fairmont Avenue; and the Northwestern one-half of Modesto Irrigation District Lateral No. 4 immediately adjacent to the above described property.

R-2 to P-D

All that certain real property situate in a portion of the Southwest quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcel A as shown on that certain Parcel Map filed in the Office of the Recorder of Stanislaus County, California, on March 8, 1978, in Book 26, of Parcel Maps, at Page 90.

Including also all of Parcel B shown on that certain Parcel Map filed in the Office of the Recorder of Stanislaus County, California, on March 14, 1973, in Book 16 of Parcel Maps, at Page 52.

Including also the Southern one-half of Corson Avenue immediately adjacent to the above described property.

Including also the Northern 160.00 feet of the Western 132.00 feet of Lot 15 of Fairmont Tract, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on December 27, 1911, in Volume 6 of Maps, Page 12.

SCHEDULE "A"
GARY FANT

MODESTO CITY COUNCIL
RESOLUTION NO. 81-519

A RESOLUTION ORDERING THE LONE PALM NUMBER 1 GOVERNMENTAL REORGANIZATION TO THE CITY OF MODESTO WITHOUT NOTICE, HEARING, OR ELECTION.

WHEREAS, a petition signed by all of the owners of land residing within that certain territory known as the Lone Palm Number 1 Annexation in the County of Stanislaus requesting annexation of the Lone Palm Number 1 Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated May 20, 1981 approved said annexation to the City of Modesto upon condition that it be processed as a Governmental Reorganization pursuant to the provisions of Division 1 of Title 6 of the Government Code of the State of California, and designated said Governmental Reorganization the Lone Palm Number 1 Governmental Reorganization, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution ordered that said Governmental Reorganization consist of (a) the annexation of said territory to the City of Modesto; (b) the detachment of said territory from the Woodland Avenue Fire Protection District; and (c) the annexation of said territory to the Modesto Municipal Sewer District; and that the territory be subject to the bonded indebtedness of the Sewer District, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution ordered that a negative declaration be filed as to the environmental effect of the subject Governmental Reorganization, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution designated the City of Modesto as the conducting authority for said Governmental Reorganization and authorized the Council of the City of Modesto to proceed without notice, hearing or election pursuant to section 56261 of the Government Code of the State of California,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the District Reorganization Act of 1964, as amended, have been complied with.

2. That the area or territory designated as the Lone Palm Number 1 Governmental Reorganization is more particularly described as attached hereto and made a part hereof by reference as though set forth in full herein.

3. Said territory is hereby annexed to and made a part of the City of Modesto.

4. Said territory is hereby detached from the Woodland Avenue Fire Protection District.

5. Said territory is hereby annexed to the Modesto Municipal Sewer District No. 1. Said territory shall be subject to the authorized or existing bonded indebtedness of the Sewer District.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, a certified copy of this resolution, stating the date of its passage and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the Executive Officer of the Stanislaus County Local Agency Formation Commission together with a payment of all fees required by section 56450 of the California Government Code.

BE IT FURTHER RESOLVED that pursuant to section 56454 of the California Government Code, this Governmental Reorganization shall be effective on the date of execution of the certificate of completion by the Executive Officer of the Stanislaus County Local Agency Formation Commission.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of this Governmental Reorganization is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of said Governmental Reorganization.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of June, 1981, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Roos Campbell
Public Works Department

CITY OF MODESTO
LONE PALM NO. 1
GOVERNMENTAL REORGANIZATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, also being a portion of Lot 4 of the MAZE COLONY, as per map filed March 24, 1904, in Volume 1 of Maps, Page 83, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by an Eastern boundary of the KANSAS AVENUE NO. 2 ADDITION (397) as per description filed March 23, 1979 as Instrument 59988, Stanislaus County Records, said point being on the center line of 40 foot Lone Palm Avenue and bearing North 01° 10' 00" West, 659.86 feet, from the East-West quarter section line of Section 30;

1. thence along the existing City Limits and the center line of said Lone Palm Avenue, North 01° 10' 00" West, 495.17 feet;

2. thence leaving the existing City Limits, North 89° 52' 55" East, 180.00 feet;

3. thence South 01° 10' 00" East, 165.00 feet;

4. thence North 89° 52' 55" East 158.58 feet;

5. thence South 01° 04' 30" East, 330.11 feet;

6. thence South 89° 52' 25" West, 338.05 feet, to the point of beginning, containing 3.245 Acres more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-520

A RESOLUTION GRANTING THE APPEAL FILED BY SANDERS CONSTRUCTION CO. TO THE DECISION OF THE PLANNING COMMISSION DENYING AN AMENDMENT TO SECTION 14-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, TO REZONE FROM LOW DENSITY RESIDENTIAL ZONE, R-1, TO PLANNED DEVELOPMENT ZONE, P-D(311); APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(311); AND OVERRULING THE DECISION OF THE PLANNING COMMISSION.

WHEREAS, a verified application to amend Section 14-3-9 of the Zoning Map was filed by Sanders Construction Company on April 13, 1981, to reclassify from Low Density Residential Zone, R-1 to Planned Development Zone, P-D, to allow a commercial development including a financial institution and gas station, property located at the southeast corner of Floyd Avenue and Oakdale Road, described as follows:

All that certain real property situate in a portion of the Northwest Quarter of Section 14, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

All of Parcel 1 as shown on that certain parcel map filed in the Office of the Recorder of Stanislaus County, California, on February 17, 1970, in Volume 8 of Parcel Maps, page 36.

Including also the South 30.00 feet of Floyd Avenue and the East 50.00 feet of Oakdale Road immediately adjacent to the above described property.

and

WHEREAS, said application was set for a public hearing before the Planning Commission on May 13, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and

WHEREAS, thereafter the Planning Commission adopted Resolution No. 81-124 denying an amendment to Section 14-3-9 of the Zoning Map to reclassify from Low Density Residential Zone, R-1, to Planned Development Zone, P-D, the above described property as requested by the applicant for the reasons set forth in said resolution, and

WHEREAS, an appeal was filed by Sanders Construction Company with the City Council by a letter dated May 22, 1981, to the decision of the Planning Commission denying an amendment to Section 14-3-9 of the Zoning Map to rezone from Low Density Residential Zone, R-1, to Planned Development Zone, P-D, to allow for a commercial development including a financial institution and gas station, property located at the southeast corner of Floyd Avenue and Oakdale Road, described above, and

WHEREAS, said appeal was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on June 23, 1981, at 7:30 p.m., at which time evidence both oral and documentary was taken and introduced, and

WHEREAS, after said public hearing, the Council of the City of Modesto found and determined that the rezoning as requested by Sanders Construction Company to amend Section 14-3-9 of the Zoning Map to reclassify the above described property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(311) should be granted for the reasons set forth below:

1. The proposed planned development zone conforms to the Orchard No. 2 Zoning and Development Plan.

2. The proposed financial institution meets policy guidelines for the location of financial institutions.

3. The plot plan and conditions of approval will insure neighborhood compatibility.

WHEREAS, at its meeting held on June 23, 1981, the Council has introduced Ordinance No. 2050-C.S. reclassifying the above described property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(311),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. APPEAL GRANTED. The appeal filed by Sanders Construction Company to the decision of the Planning Commission denying the request for an amendment to Section 14-3-9 of the Zoning Map to reclassify the above described property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(311), is granted for the reasons set forth above, and the decision of the Planning Commission denying said rezoning is hereby overruled.

SECTION 2. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(311), is hereby approved, subject to the following conditions:

1. All development shall conform to the plot plan titled "Commercial Complex - Planned Development" as amended in red, stamped approved by the City Council on June 23, 1981.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code. Screen landscaping shall be installed along the south property line.

3. Fencing shall be constructed prior to occupancy and shall be as follows:

   Eight foot decorative masonry wall along the south property line.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. The developer shall dedicate and/or improve sufficient right-of-way as required by the Director of Public Works to complete Oakdale Road and Floyd Avenue to major and collector street standards respectively prior to occupancy or upon demand by the City, whichever occurs first.

6. The required public street improvements shall be constructed prior to occupancy of any structures.

7. Prior to issuance of a building permit, street improvement plans shall be approved by the Director of Public Works.

8. Prior to issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the Director of Public Works.

9. The development shall be served by positive storm drainage as required by the Director of Public Works.

10. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

11. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

12. The developer shall, in a manner approved by the City Attorney, provide a vehicular accessway for traffic circulation for the mutual benefit of this property and the property to the east, substantially as shown in red on the plot plan.

13. No operations conducted on the premises shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration, or electrical interference detectable off the premises. All machinery or equipment shall be soundproofed as required by the Director of Public Works.

14. All signs shall comply with the sign requirements of the H-1 Zone.

15. Prior to issuance of a building permit, the developer shall pay the City of Modesto the cost of planting street trees, the number as determined by the Director of Public Works.

16. The applicant shall install fire hydrants and the pipeline system therefore in accordance with the requirements of the Fire Chief. Hydrants shall be installed and operable prior to construction of any structures.

17. All businesses may be open to the public only between the hours of 7 a.m. and 10 p.m. seven days a week, unless a use permit for each business seeking additional hours is obtained from the Board of Zoning Adjustment.

SECTION 3. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned Development Zone, P-D(311):

> That the entire construction program be accomplished in one phase, construction to begin on or before May 1, 1982, and completion to be not later than May 1, 1983.

SECTION 4. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 5. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 6. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned Development Zone, P-D(311) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember

Bright, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION: _____
Planning Department

MODESTO CITY COUNCIL
RESOLUTION NO. 81-521

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 14-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (SANDERS CONSTRUCTION COMPANY)

WHEREAS, on June 23, 1981, the City Council introduced Ordinance No. 2050-C.S. giving approval to a project relating to an amendment to Section Map 14-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(311), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 14-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(311).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-522

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 26-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (Planning Commission Initiated)

WHEREAS, on June 23, 19 81, the City Council introduced Ordinance No. 2051 - C. S. giving approval to a project relating to an amendment to Section Map 26-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(77), to Low Density Residential Zone, R-1, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 26-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(77), to Low Density Residential Zone, R-1.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-523

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 13-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (Planning Commission Initiated)

WHEREAS, on June 23, 1981, the City Council introduced Ordinance No. 2052 - C. S. giving approval to a project relating to an amendment to Section Map 13-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(112), to Low Density Residential Zone, R-1, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 13-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(112), to Low Density Residential Zone, R-1.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-524

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (305).

WHEREAS, a verified application for an amendment to Section 10-3-9 of the Zoning Map was filed by Stone Brothers and Associates on April 6, 1981, to reclassify from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in a portion of the Northwest Quarter of Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, being described as follows:

BEGINNING at the intersection of the centerline of Monteview Drive with the centerline of Bywood Lane, as shown on map of Sylvan Meadows East No. 6, filed for record in Volume 28 of Maps at Page 32, Stanislaus County Records; thence North 0°48' West, along said centerline of Monteview Drive, a distance of 930.61 feet to the intersection with the centerline of Fernview Drive; thence North 66°19'22" West 40.00 feet to the Northeast corner of Lot 6, Block 12587 in said Sylvan Meadows East No. 6; thence North 55°37'41" West, along the northeasterly line of said Lot 6, a distance of 34.98 feet; thence South 89°12' West along the northerly line of said Lot 6 and the westerly extension thereof, a distance of 125.00 feet, to the centerline of Coffee Road; thence South 0°48' East, along said centerline of Coffee Road a distance of 1032.00 feet; thence North 89°12' East, along the South line of Lot 14, Block 12574, in said Sylvan Meadows East No. 6 and the westerly extension thereof, a distance of 145.00 feet thence continuing along said south line North 31°18'08" East, 38.87 feet to the West line of Monteview Drive; thence North 36°41'06" East 40.00 feet to the point of beginning.

WHEREAS, after public hearing held on May 18, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed rezoning is for a change in the form of ownership only of existing units.

2. The P-D zone and conditions of approval insure a degree of compatibility consonant with surrounding properties.

WHEREAS, after a public hearing held on June 23, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Stone Brothers and Associates for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2053-C.S. on the 23rd day of June, 1981, reclassifying the above-described property from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D (305).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(305) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan titled "Stone Brothers Site Plan" as amended in red, stamped approved by the Planning Commission on May 18, 1981.

2. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

3. Trash cans shall be screened from view from any public street in accordance with the approved plot plan.

4. All signs shall comply with the sign requirements of the R-2 Zone.

5. Prior to sale of any condominiums, a subdivision map shall be recorded.

6. Prior to recordation of a final subdivision map, the developer shall obtain certification from the Chief Building Official that all construction conforms to all building and fire safety standards for condominiums established by the Chief Building Official.

7. Prior to recordation of a final subdivision map, the developer shall obtain certification from the Director of Parks and Recreation that the landscaping and irrigation system generally conforms to City standards and/or any previously approved plans.

8. Prior to issuance of a building permit for any development, the developer shall submit evidence in a form satisfactory to the City Attorney, that there has been created a Property Owners' Association to guarantee common facility and private property improvement and maintenance in accordance with the approved plans.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (305):

Construction to begin on or before September 1, 1982, and completion to be not later than September 1, 1984.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (305) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: Patterson

ABSENT: Councilmembers: Mayor Mensinger

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Nichols
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-525

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 10-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (STONE BROTHERS AND ASSOCIATES)

WHEREAS, on June 23, 19 81, the City Council introduced Ordinance No. 2053-C.S. giving approval to a project relating to an amendment to Section Map 10-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(305), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 10-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(305).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: Patterson

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-526

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (304).

WHEREAS, a verified application for an amendment to Section 19-3-9 of the Zoning Map was filed by Carpenter Road Associates on March 23, 1981, to reclassify from Light Industrial Zone, M-1, to Planned-Development Zone, P-D, the following described property:

Parcels 1 and 2 as shown on the map filed in Volume 30 of Parcel Maps at page 136, Stanislaus County Records, lying in the southwest quarter of Section 19, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, Modesto, California.

Including also all of the southerly 30 feet of Blue Gum Avenue and the easterly 50 feet of Carpenter Road immediately adjacent to the above described property.

WHEREAS, after public hearing held on May 18, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D zoning will allow continuation of construction of the same development allowed under M-1 zoning except that the project can be marketed as a condominium.

2. The P-D zone provides for continued maintenance assurances to the benefit of the occupants, owners, as well as the general public.

WHEREAS, after a public hearing held on June 23, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Carpenter Road Associates for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2054-C.S. on the 23rd day of June, 1981, reclassifying the above-described property from Light Industrial Zone, M-1 to Planned-Development Zone, P-D (304).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(304) is hereby approved subject to the following conditions;

1. All development shall conform ~~to~~ the plot plan titled "Campus Commons - Site Plan & Summary" as amended in red, stamped approved by the Planning Commission on May 18, 1981.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code.

3. Fencing shall be constructed prior to occupancy and shall be as follows:

   Eight foot decorative masonry wall on the south and east periphery.

4. All landscaping, fences and walls shall be maintained and the premises shall be kept free of weeds, trash and other debris.

5. The developer shall dedicate and/or improve sufficient right-of-way as required by the Director of Public Works to complete Carpenter Road and Blue Gum Avenues to major and collector street standards prior to occupancy or upon demand by the City, whichever occurs first.

6. The required public street improvements shall be constructed prior to occupancy of any structures.

7. All private streets and parking areas shall be constructed in accordance with the standard structural section for residential streets as contained in the City of Modesto Standard Specifications.

8. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

9. All signs shall comply with the sign requirements of the M-1 Zone.

10. Prior to sale of any condominiums, a subdivision map shall be recorded.

11. Prior to recordation of a final subdivision map, the developer shall obtain certification from the Chief Building Official that all construction conforms to all building and fire safety standards for condominiums established by the Chief Building Official.

12. Prior to City Council approval of a final subdivision map, the subdivider shall submit evidence in a form satisfactory to the City Attorney, that there has been created a Property Owners' Association to guarantee common facility and private property improvement and maintenance in accordance with the approved plans.

13. All curbcuts serving two-way driveways shall be widened to 41 feet in width.

14. The applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. Hydrants shall be installed and operable prior to construction of any structures.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (304):

Phase I being already started; to be completed by June 30, 1982.

Phase II to start by January 1, 1983 and be completed by January 30, 1984.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (304) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn E. Johnson
ELWYN E. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Nichols
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-527

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 19-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (CARPENTER ROAD ASSOCIATES)

WHEREAS, on June 23, 1981, the City Council introduced Ordinance No. 2054-C.S. giving approval to a project relating to an amendment to Section Map 19-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Light Industrial Zone, M-1, to Planned Development Zone, P-D(304), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 19-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Light Industrial Zone, M-1, to Planned Development Zone, P-D(304).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-528

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 23-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (G. O. ENTERPRISES)

WHEREAS, on June 23, 1981, the City Council introduced Ordinance No. 2055 - C. S. giving approval to a project relating to an amendment to Section Map 23-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Neighborhood Commercial Zone, C-1, to Planned Development Zone, P-D(306), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 23-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Neighborhood Commercial Zone, C-1, to Planned Development Zone, P-D(306).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1971, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Huratore, Patterson, Siefkin, Acting Mayor Lane

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Hensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-529

A RESOLUTION DENYING THE APPEAL OF ANTHONY MISTLIN TO CONDITIONS NO. 2, 5 AND 6 OF BOARD OF ZONING ADJUSTMENT RESOLUTION NO. 982 REGARDING THE H-1 ZONE FRONT YARD LANDSCAPING POLICY AND THE CITY'S STREET TREE POLICY RELATING TO A CONDITIONAL USE PERMIT IN THE H-1 ZONE FOR A FRONT CANOPY EXPANSION TO THE MISTLIN HONDA AUTOMOBILE DEALERSHIP AT 3120 MC HENRY AVENUE.

WHEREAS, an application for a conditional use permit in the H-1 Zone for a front canopy expansion to the auto dealership at 3120 McHenry Avenue on the East side of McHenry Avenue north of Rumble Road was filed by Mistlin Honda on April 27, 1981, and

WHEREAS, Sections 10-2.1904(a) and 10-2.2903 of the Modesto Municipal Code authorize the Board of Zoning Adjustment to grant conditional use permits in the H-1 Zone, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on May 28, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, after said hearing the Board of Zoning Adjustment, by Resolution No. 982, granted a conditional use permit in the H-1 Zone for a front canopy expansion at 3120 McHenry Avenue, subject to the following conditions:

1. All development shall conform to the plot plan titled "Proposed Remodel Mistlin Honda" as amended in red, stamped approved by the Board of Zoning Adjustment on May 28, 1981.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code. Landscaping along the front property line between driveways shall be to a depth averaging 10 feet.

3. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. All existing and proposed signs shall comply with the sign requirements of the H-1 Zone. The existing freestanding sign shall be removed prior to occupancy of the canopy addition.

5. Prior to issuance of a building permit, the developer shall pay the City of Modesto the cost of planting street trees, the number as determined by the Director of Public Works.

6. The developer shall dedicate to the City of Modesto a street tree planting easement along the McHenry frontage as required by the Director of Parks and Recreation.

7. The applicant shall record a "Notice of Conditions" in the Stanislaus County Recorder's Office on a form available in the Planning and Community Development Department.

and

WHEREAS, an appeal was filed by Anthony Mistlin with the City Council of the City of Modesto on June 8, 1981, to conditions No. 2, 5 and 6 of Board of Zoning Adjustment Resolution No. 982 regarding the H-1 Zone front yard landscaping policy and the City's street tree policy, and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, at 7:30 p.m., on June 23, 1981, and

WHEREAS, at said meeting said Council, after hearing evidence both oral and documentary, found and determined that said appeal to conditions No. 2, 5 and 6 of Board of Zoning Adjustment Resolution No. 982 regarding the H-1 Zone front yard landscaping policy and the City's street tree policy should be denied for the reasons hereinafter set forth, and that the decision of the Board of Zoning Adjustment should be affirmed:

1. The applicant has failed to show any circumstances which warrant an exemption from the City's H-1 front yard landscaping policy. It is consistent City policy to require a minimum 10' landscape strip in the H-1 Zone. The Board of Zoning Adjustment approved a landscape strip averaging 10' width (rather than 10' minimum) which is a significant compromise acknowledging that this dealership had originally developed in the county without a landscaping requirement.

2. The applicant has failed to show any circumstances which warrant an exemption from the City's street tree policy. It is consistent City policy to require developers to dedicate street tree planting easements and pay for street trees.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by Anthony Mistlin to conditions No. 2, 5 and 6 of Board of Zoning Adjustment Resolution No. 982 regarding the H-1 Zone front yard landscaping policy and the City's street tree policy is hereby denied for the reasons set forth above, and that the decision of the Board of Zoning Adjustment, as set forth in its Resolution No. 982, is hereby affirmed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin

NOES: Councilmembers: Vice Mayor Lang

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Maxine Coyle
MAXINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-530

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR McHENRY MANSION RESTORATION, PHASE 1

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for McHenry Mansion Restoration, Phase 1

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on July 28, 1981 at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-531

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR IMPROVING CITY PARKING LOT 2, LOCATED ON NINTH STREET BETWEEN I AND J STREETS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for improving Parking Lot 2, located on Ninth Street between I and J Streets

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on July 28, 1981 at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-532

A RESOLUTION ACCEPTING THE BID OF ALL PURE CHEMICAL COMPANY FOR THE PURCHASE OF LIQUID CHLORINE FOR A PERIOD OF ONE YEAR

WHEREAS, Resolution No. 81-372 adopted by the Council of the City of Modesto on May 12, 1981 , approved the plans and specifications for the furnighing of annual requirements of liquid chlorine and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of the annual requirements of liquid chlorine were opened at 2:15 p.m., June 9, 1981 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of All Pure Chemical Company for the price of $197 per ton for the period of one year be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of All Pure Chemical Company for the price of $197 per ton for one year be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June , 1981 , by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-533

A RESOLUTION ACCEPTING THE BID OF RILEY'S STRIPING SERVICE FOR RESTRIPING STANDIFORD AVENUE NEAR COLUMBINE DRIVE

WHEREAS, Resolution No. 81-340 adopted by the Council of the City of Modesto on May 5, 1981, approved the plans and specifications for the restriping of Standiford Avenue near Columbine Drive and authorized the calling for bids; and

WHEREAS, the bids received for the restriping of Standiford Avenue near Columbine Drive were opened at 11:00 a.m., on June 16, 1981, and later tabulated by the Director of Parking and/Traffic for the consideration of the Council; and

WHEREAS, the Director of Parking and/Traffic has recommended that the bid of Riley's Striping Service, Inc. in the amount of $7,475 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Riley's Striping Service, Inc. in the amount of $7,475 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-534

A RESOLUTION ACCEPTING THE REFINISHING OF THE DOWNEY AND DAVIS PARKS TENNIS COURTS BY CENTRAL STRIPING SERVICE AS COMPLETE

WHEREAS, a repcrt has been filed by the Director of Public Works

that the refinishing **of** the Downey and Davis Park tennis Courts

has been ccmpleted by Central Striping Service

in accordance with the contract agreement dated May 5, 1981.

NOW, THEREFORE, BE IT RESOLVED that the refinishing **of** the Downey and Davis tennis Courts

be accepted from said contractor, Central Striping Service

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of 13,319.20 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd **day of** June, 19 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-535

A RESOLUTION ACCEPTING THE FURNISHING AND INSTALLATION OF THREE SUPERSIZED BUS PATRON SHELTERS AT 9TH AND I STREETS AS COMPLETE

WHEREAS, a report has been filed by the Director of Parking and Traffic **that the** furnishing and installation of three supersized bus patron shelters at 9th and I Streets **has been completed by** Ace Aluminum Company

in accordance with the contract agreement dated April 7, 1981.

NOW, THEREFORE, BE IT RESOLVED that the furnishing and installation of three supersized bus patron shelters at 9th and I Streets **be accepted from said contractor,** Ace Aluminum Company

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $15,500 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd **day of** June, 19 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-536

A RESOLUTION ACCEPTING THE BID OF DIABLO CONTROL COMPANY FOR THE INSTALLATION OF WATER AUTOMATION INSTRUMENTATION AND CONTROL WORK

WHEREAS, Resolution No. 81-392, adopted by the Council of the City of Modesto on May 19, 1981, approved the plans and specifications for the installation of water automation instrumentation and control work and authorized the calling for bids; and

WHEREAS, the bids received for the installation of water automation instrumentation and control work were opened at 11:05 a.m. on June 16, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Diablo Control Company in the amount of $77,900 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Diablo Control Company in the amount $77,900 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-537

A RESOLUTION ACCEPTING THE BID OF GEORGE REED, INC. FOR THE RESURFACING OF CITY STREETS, SPRING - 1981

WHEREAS, Resolution No. 81-423 adopted by the Council of the City of Modesto on May 26, 1981, approved the plans and specifications for the resurfacing of City streets - Spring 1981 and authorized the calling for bids; and

WHEREAS, the bids received for the resurfacing of City streets - Spring 1981 were opened at 11:15 a.m. on June 16, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of George Reed, Inc. in the amount of $108,555 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of George Reed, Inc. in the amount of $108,555 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-538

A RESOLUTION ACCEPTING THE BID OF THE FLINTKOTE COMPANY FOR THE RECONSTRUCTION OF STANDIFORD AVENUE AT HETCH HETCHY RIGHT OF WAY

WHEREAS, Resolution No. 81-422 adopted by the Council of the City of Modesto on May 26, 1981 , approved the plans and specifications for the construction of Standiford Avenue at Hetch Hetchy right of way and authorized the calling for bids; and

WHEREAS, the bids received for the construction of Standiford Avenue at Hetch Hetchy right of way were opened at 11:10 a.m. on June 16, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of The Flintkote Co. in the amount of $83,591 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of The Flintkote Co. in the amount of $83,591 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June , 1981, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lane
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-539

A RESOLUTION ACCEPTING THE BID OF DOW HAMMOND FOR ONE 3/4 TON PICKUP WITH CRANE

WHEREAS, Resolution No.81-391, adopted by the Council of the City of Modesto on May 19, 1981, approved the plans and specifications for the 3/4 ton pickup with crane and authorized the calling for bids; and

WHEREAS, the bids received for the 3/4 ton pickup with crane were opened at 2:00 p.m. on June 16, 1981, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Dow Hammond in the amount of $12,983.94 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Dow Hammond in the amount of $12,983.94 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-540

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING THE PURCHASE OF TRAFFIC SIGNAL PARTS FROM THE EAGLE SIGNAL COMPANY IN THE AMOUNT OF $11,075 AND FROM THE ECONOLITE CORPORATION IN THE AMOUNT OF $7,391

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of traffic signal parts which will be used throughout the year to maintain traffic signal equipment by our Public Works Department is hereby waived.

BE IT FURTHER RESOLVED that purchase of traffic signal parts from the Eagle Signal Company in the amount of $11,075 and from the Econolite Corporation in the amount of $7,391 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-541

A RESOLUTION APPROVING THE REQUEST OF DRIFTWOOD CONVALESCENT HOSPITAL FOR REFUND FOR OVERPAYMENT OF MILL TAXES IN THE AMOUNT OF $1,640.54

BE IT RESOLVED by the Council of the City of Modesto that the request of Driftwood Convalescent Hospital for refund of $1,640.54 for overpayment of their City mill taxes is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-542

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND BOYLE/KILPATRICK AND ASSOCIATES FOR TRANSIT ADVERTISING AND PROMOTION DURING FISCAL YEAR 1981-82

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Boyle/Kirkpatrick and Associates **for** transit advertising and promotion during fiscal year 1981-82

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd **day of** June, **19**81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-543
AMENDMENT TO

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND MACKAY AND SOMPS TO PROVIDE FOR INCREASE IN COMPENSATION FOR THE DESIGN OF THE WEST TRUNK SEWER

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and MacKay and Somps Civil Engineers, Inc.

for an increase of the maximum compensation for the design of the West Trunk sewer

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd **day of** June, **19**____, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-544

A RESOLUTION OPPOSING REDUCTION IN ESSENTIAL AIR SERVICES TO THE MODESTO CITY-COUNTY AIRPORT/HARRY SHAM FIELD BY GOLDEN GATE AIRLINES

WHEREAS, on June 11, 1981, Golden Gate Airlines filed three petitions to reduce essential air service to the City of Modesto with the Civil Aeronautics Board, and

WHEREAS, on June 18, 1981, Golden Gate Airlines indicated that it was withdrawing its petitions to reduce air service to this community below the essential air service level, and

WHEREAS, it is the recommendation of City staff to oppose any reduction in essential air service to this community,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that any reduction in the essential air service level which was established by Civil Aeronautics Board Order 80-9-69 for the Modesto City-County Airport/Harry Sham Field to be provided by Golden Gate Airlines is hereby opposed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-545

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $45,000 FOR WATER DIVISION EXPENDITURES

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Exigency Reserve, P/W Water	$45,000
TO:	Materials & Supplies, P/W Water	$17,000
	Prof. & Cont. Services, P/W Water	$28,000

Water expenditures exceeded estimates due to utility rate increases, increased water usage, and unexpected waterline replacements for downtown alleys, a TID drain crossing; and an unusually large number of "knock-downs" hydrant replacements.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd **day of** June, 19 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-546

A RESOLUTION SETTING TIME AND PLACE FOR HEARING FOR AN AMENDMENT TO SIGN REGULATIONS TO PROVIDE FOR SIGNS TO BE ALLOWED ON LEGAL NONCONFORMING USES AND TO PROVIDE FOR PROJECT SIGNS TO IDENTIFY LARGE RESIDENTIAL DEVELOPMENTS IN THE R-1 ZONE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Tuesday, July 14, 1981 , at 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an amendmen to sign regulations to provide for signs to be allowed on legal nonconforming uses and to provide for project signs to identify large residential developments in the R-1 zone.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd **day of** June, 19 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-547

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO P-D(148), PROPERTY LOCATED AT SOUTHWEST CORNER OF CARPENTER AND BLUE GUM (WEST CAMPUS BUSINESS CENTER)

WHEREAS, the Modesto City Planning Commission held a public hearing on June 15, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Planned Development Zone, P-D(148), to allow the business park to be developed as condominiums, property located at the southwest corner of Carpenter adn Blue Gum

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-161 recommending to the Council that amendment of Planned Development Zone P-D(148) is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Planned Development Zone, P-D(148), be set for Tuesday, July 14, 1981, 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-548

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 12-3-8 OF THE ZONING MAP TO REZONE FROM R-2 TO PLANNED DEVELOPMENT ZONE, P-D(310) (KELLY BROTHERS DEVELOPMENT)

WHEREAS, the Modesto City Planning Commission held a public hearing on June 15, 1981, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 12-3-8 of the Zoning Map to rezone from R-2 to P-D(310) property located on the southwest corner of Conant Avenue and Standiford Avenue

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 81-159 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 12-3-8 of the Zoning Map be set for Tuesday, July 14, 1981, 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Lot 1 and Lot 2, Block 13530 Vinewood Subdivision, recorded in Book 28 of Maps, at page 21, Stanislaus County Records, in Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, located in the City of Modesto, Stanislaus County, California.

Including also all of Standiford Avenue, the southern 50 feet of Modesto Irrigation Lateral No. 7, the northern 55 feet of the Hetch Hetchy right-of-way, and the western 20 feet of Conant Avenue immediately adjacent to the above described property.

SCHEDULE A
(KELLY BROS. DEVELOPMENT)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-549
AMENDMENT TO

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND CROCKER NATIONAL BANK TO INCREASE DEPOSIT OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND INCREASE BANK LOAN COMMITMENT FUNDS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Crocker National Bank

for Housing Maintenance Program for increase in deposition of Community Development Block Grant funds and for increase in bank loan commitment funds to enable Housing Maintenance Progrm to request draw down and funds from HUD **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd **day of** June, 19 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-550

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS COUNTY CENTRAL COMMUNICATIONS CENTER TO PROVIDE A CHANGE IN FUNDING FORMULA

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Stanislaus County Central Communications Center **for** a change in funding formula for City's share of costs

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd **day of** June, **19** 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-551

A RESOLUTION AMENDING THE FINAL BUDGET OF THE CITY OF MODESTO FOR THE FISCAL YEAR 1980-81 TO PROVIDE FOR THE ESTABLISHMENT OF VARIOUS RESERVES AND AUTHORIZING THE DIRECTOR OF FINANCE TO MAKE THE NECESSARY APPROPRIATION ADJUSTMENTS TO ESTABLISH SAID RESERVES PRIOR TO CLOSING THE BOOKS OF THE CITY OF MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 1981

WHEREAS, it is necessary to establish various reserves to comply with the provisions of Article XIII B of the State Constitution, and

WHEREAS, the appropriations to establish said reserves must be made prior to the closing of the City of Modesto's books for fiscal year 1980-81,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following reserves be established in the final budget of the City of Modesto for the fiscal year 1980-81 and that the amounts of said reserves, including necessary adjustments to current appropriations, be as set forth below or as determined by the Director of Finance in accordance with the following:

Fund No. 01 - General Fund

Reserve for Sewer Fund Loan - An amount of $1,409,500 to supplement capital requirements in the Sewer Fund No. 62, by loan or direct contribution.

Contingency for Salary and Material Increases - The fund balance not appropriated or reserved for other specified purposes to insure funding for the various contractual obligations for employee salaries and fringe benefits and for increases in material costs based on the current rate of inflation.

Exigency Reserve - The amount of $600,000 is reserved for unforeseen exigencies arising from the operations of the City of Modesto.

Fund No. 05 - Local Transportation

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1980-81 fiscal year but which will be re-appropriated in the 1981-82 fiscal year.

Contingency Reserve for Pending Projects - The amount required to fund projects approved but not yet appropriated.

Fund No. 07 - Special Gas Tax Improvement

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1980-81 fiscal year but which will be re-appropriated in the 1981-82 fiscal year.

Contingency Reserve for Pending Projects - The amount required to fund projects approved but not yet appropriated.

Fund No. 09 - Downtown Improvement District

Contingency for Salary and Material Increases - The fund balance not appropriated or reserved for other specified purposes to insure funding for the various contractual obligations for employee salaries and fringe benefits and for increases in material costs based on the current rate of inflation.

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1980-81 fiscal year but which will be re-appropriated in the 1981-82 fiscal year.

Contingency Reserve for Pending Projects - The amount necessary

to finance approved projects which will be appropriated in the 1981-82 fiscal year.

Fund No. 11 - HCDA Title 1/Housing

Contingency for Salary and Material Increases - The fund balance not appropriated or reserved for other specified purposes to insure funding for the various contractual obligations for employee salaries and fringe benefits and for increases in material costs based on the current rate of inflation.

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1980-81 fiscal year but which will be re-appropriated in the 1981-82 fiscal year.

Reserve for Loan Programs - The amount necessary to comply with the HUD grant and the contracted obligation with Crocker National Bank.

Fund No. 12 - School Site and Facilities

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1980-81 fiscal year but which will be re-appropriated in the 1981-82 fiscal year.

Contingency Reserve for Pending Projects - The amount required to fund projects approved but not yet appropriated.

Fund No. 13 - Special Fund For Capital Outlays

Reserve for Community Center - The amount of $1,845,000 previously reserved for the proposed Community Center.

Reserve for Advance to Landfill - The amount of $118,463 previously

Reserved for Landfill.

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1980-81 fiscal year but which will be re-appropriated in the 1981-82 fiscal year.

Contingency Reserve for Land Acquisition and Capital Needs - The fund balance not appropriated or reserved for other specified purposes to be reserved for capital needs and land acquisition.

Fund No. 14 - Park Fund

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1980-81 fiscal year but which will be re-appropriated in the 1981-82 fiscal year.

Contingency Reserve for Pending Projects - The amount required to fund projects approved but not yet appropriated.

Fund No. 15 - Park and Recreation Facilities

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1980-81 fiscal year but which will be re-appropriated in the 1981-82 fiscal year.

Contingency Reserve for Pending Projects - The amount required to fund projects approved but not yet appropriated.

Fund No. 16 - In Lieu Parking

Exigency Reserve - The fund balance not appropriated or reserved for other specified purposes.

Fund No. 17 - State Parks and Recreation

Reserve for Appropriated Carryover Porjects - The amount necessary to complete projects appropriated in the 1980-81 fiscal year but which will be re-appropriated in the 1981-82 fiscal year.

Contingency Reserve for Pending Projects - The amount required to fund projects approved but not yet appropriated.

Fund No. 18 - McHenry Mansion

Contingency Reserve for Pending Projects - The amount required to fund projects approved but not yet appropriated.

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1980-81 fiscal year but which will be re-appropriated in the 1981-82 fiscal year.

Fund No. 20 - Revenue Sharing

Contingency Reserve for Pending Projects - The amount required to fund projects approved but not yet appropriated.

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1980-81 fiscal year but which will be re-appropriated in the 1981-82 fiscal year..

Fund No. 25 - 1953 Sewer Bond

Designated for Debt Service - The amount of $11,932.

Fund No. 60 - Parking Fund

Contingency for Salary and Material Increases - The fund balance not appropriated or reserved for other specified purposes to insure funding for the various contractural obligations

for employee salaries and fringe benefits and for increases in material costs based on the current rate of inflation.

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1980-81 fiscal year but which will be re-appropriated in the 1981-82 fiscal year.

Fund No. 61 - Water

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1980-81 fiscal year but which will be re-appropriated in the 1981-82 fiscal year.

Contingency Reserve for Pending Projects - The amount required to fund projects approved but not yet appropriated.

Reserved for Exigencies - The amount of $600,000 is reserved for unforeseen exigencies arising from the operations of the Water Enterprise.

Contingency for Salary and Material Increases - The fund balance not appropriated or reserved for other specified purposes to insure funding for the various contractual obligations for employee salaries and fringe benefits and for increases in material costs based on the current rate of inflation.

Fund No. 62 - Sewer

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1980-81 fiscal year but which will be re-appropriated in the

1981-82 fiscal year.

Contingency Reserve for Pending Projects - The amount required to fund projects approved but not yet appropriated.

Contingency for Salary and Material Increases - The fund balance not appropriated or reserved for other specified purposes to insure funding for the various contractual obligations for employee salaries and fringe benefits and for increases in material costs based on the current rate of inflation.

Fund No. 63 - Airport

Contingency Reserve for Pending Projects - The amount required to fund projects approved but not yet appropriated.

Contingency for Salary and Material Increases - The fund balance not appropriated or reserved for other specified purposes to insure funding for the various contractual obligations for employee salaries and fringe benefits and for increases in material costs based on the current rate of inflation.

Reserved for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1980-81 fiscal year but which will be re-appropriated in the 1981-82 fiscal year.

Fund No. 64 - Special Aviation

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1980-81 fiscal year but which will be re-appropriated in the 1981-82 fiscal year.

Contingency Reserve for Pending Projects - The amount required

Fund No. 65 - Bus Service

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1980-81 fiscal year but which will be re-appropriated in the 1981-82 fiscal year.

Contingency Reserve for Pending Projects - The amount required to fund projects approved but not yet appropriated.

Contingency for Salary and Material Increases - The fund balance not appropriated or reserved for other specified purposes to insure funding for the various contractual obligations for employee salaries and fringe benefits and for increases in material costs based on the current rate of inflation.

Fund No. 89 - Tuolumne River Regional Park

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1980-81 fiscal year but which will be re-appropriated in the 1981-82 fiscal year.

Contingency Reserve for Pending Projects - The amount required to fund projects approved but not yet appropriated.

Contingency for Salary and Material Increases - The fund balance not appropriated or reserved for other specified purposes to insure funding for the various contractual obligations for employee salaries and fringe benefits and for increases in material costs based on the current rate of inflation.

Fund No. 26 - 1967 Sewer Bond

Reserve for Appropriated Carryover Projects - The amount necessary to complete projects appropriated in the 1980-81 fiscal year but which will be re-appropriated in the 1981-82 fiscal year.

Contingency Reserve for Pending Projects - The amount required to fund projects approved but not yet appropriated.

Fund No. 27 - 1967 Sewer Bond Service

Reserve for Bond Retirement - The amount necessary to provide for the retirement of outstanding bonds.

BE IT FURTHER RESOLVED that said reserves are established as restrictions against fund balances in the General Ledger Accounts of the City of Modesto available for appropriation in 1981-82 fiscal year, and

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-552

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND SPORTS SCORE COMPANY TO PROVIDE GOLF SCORE CARDS FOR THE NINE-HOLE AND DRYDEN MUNICIPAL GOLF COURSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Sports Score Company **for** providing golf score cards for the Nine-Hole and Dryden Golf Courses **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd **day of** June, 19 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-553

A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE.

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. SALARY RANGES AND RATES EFFECTIVE JUNE 30, 1981 TO OCTOBER 5, 1981. The salary rates, salary ranges and salary steps as set forth in Exhibit "A-1" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule A-1 Miscellaneous Employees", Exhibit "B-1" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule B-1 Firefighters", Exhibit "C-1" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule C-1 Police Personnel", Exhibit "D-1" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule D-1 Classified Management and Confidential Employees", and Exhibit "E-1" entitled "City of Modesto Schedule of Salary Ranges in City Service - Unclassified Management and Council Appointees", which are attached hereto and hereby made a part hereof, are hereby established, effective June 30, 1981, to and including October 5, 1981.

SECTION 2. SALARY RANGES AND RATES EFFECTIVE OCTOBER 6, 1981, TO DECEMBER 28, 1981. The salary rates, salary ranges and salary steps as set forth in Exhibit "A-2" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule A-2 Miscellaneous Employees", Exhibit "B-2" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule B-2 Firefighters", Exhibit "C-2" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule C-2 Police Personnel", Exhibit "D-2" entitled "City of Modesto Schedule of

Salary Ranges in City Service - Schedule D-2 Classified Management and Confidential Empoyees", and Exhibit "E-2" entitled "City of Modesto Schedule of Salary Ranges in City Service - Unclassified Management and Council Appointees", which are attached hereto and hereby made a part hereof are hereby established effective October 6, 1981, to and including December 28, 1981.

SECTION 3. SALARY RANGES AND RATES EFFECTIVE DECEMBER 29, 1981. The salary rates, salary ranges and salary steps as set forth in Exhibit "A-3" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule A-3 Miscellaneous Employees", Exhibit "B-3" entitled "City of Modesto Schedule of Salary Ranges in City Service - Exhibit B-3Firefighters", Exhibit "C-3" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule C-3 Police Personnel", Exhibit "D-3" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule D-3 Classified Management and Confidential Employees", and Exhibit "E-3" entitled "City of Modesto Schedule of Salary Ranges in City Service - Unclassified Management and Council Appointees", which are attached hereto and hereby made a part hereof, are hereby established, effective December 29, 1981, to and including June 28, 1982.

SECTION 4. SALARIES FOR CLASSES OF POSITIONS. The salary ranges and rates for the classes of positions established by the Position Classification Plan, as set forth in Exhibit "F" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1981-82" which is attached hereto and hereby made a part hereof, are hereby established.

SECTION 5. USE OF CLASSES. The designated classes of positions may be used in any organizational unit of the City deemed proper by the City Manager.

SECTION 6. POSITIONS. The City Council authorizes and directs the City Manager, within the limits of funds budgeted therefor, to appoint employees in such number and in such classes in each department as may be necessary properly to operate the department under the Charter, ordinances and resolutions adopted by the City Council, including creating additional positions to replace employees who are on disability leave or other leaves of absence.

SECTION 7. APPOINTMENTS AND SALARIES. The City Manager is hereby authorized to appoint, in accordance with the applicable provisions of the Modesto Municipal Code and Personnel Rules and within the limits of funds budgeted therefor, any person to a position in a class for which he is the appointing authority and for which the salary is hereby provided, to designate the definite salary rate or salary step at which such person is appointed, and the salary so designated is hereby fixed as the salary of such employee for the position.

SECTION 8. SPECIAL SALARY RATES. The City Manager is further authorized, subject to budgetary appropriation control by the City Council, to fix the salary range or rate for part-time or special positions in the Unclassified Service for which he is the appointing authority and which are not designated herein.

SECTION 9. DIFFERENTIAL PAY - MISCELLANEOUS. An employee who is assigned to one of the positions enumerated below shall be paid, in addition to the salary fixed and established for the class title and pay range to which the employee's position has been allocated, additional compensation at the rate of five (5%) percent of the compensation which the employee would otherwise be entitled to receive. Such additional compensation shall not be paid to any person employed on a temporary or part-time (hourly or per diem pay) basis.

1. Motor Sweeper Operator - who is regularly assigned as a night sweeper operator.

2. Parks Maintenance Worker I - who is regularly assigned to water street trees at night.

3. Laborer - who is regularly assigned as a night hand sweeper.

4. Police Clerk - who is regularly assigned to work on either the swing or graveyard shift.

5. Telephone Operator - Receptionist - who is regularly assigned to work on the swing shift.

SECTION 10. DIFFERENTIAL PAY - FIRE PREVENTION BUREAU. A sworn safety member of the Fire Department assigned to the Fire Department's Fire Prevention Bureau shall be paid, in addition to the salary fixed and established for the class title and pay range to which the employee's position has been allocated, the following additional compensation based on time spent in the Fire Prevention Bureau and determined as a percent of the compensation which the employee would otherwise be entitled to receive:

Time Spent in Fire Prevention Bureau	Additional Pay to be Received
0 - 12 months	0%
13 - 24 months	2 1/2%
25 months and thereafter	5%

SECTION 11. DIFFERENTIAL PAY - FIRE BATTALION CHIEF. A Fire Battalion Chief assigned by the Fire Chief as either Operations Commander or Fire Marshall may be paid, upon recommendation of the Fire Chief and approval of the City Manager, in addition to the salary fixed and established for the classification of Fire Battalion Chief, additional compensation of up to ten (10%) percent of the compensation which the employee would otherwise be entitled to receive.

SECTION 12. ACTING PAY - POLICE DEPARTMENT. A Detective who is temporarily assigned to act as a Sergeant for five (5) or more regularly scheduled, consecutive work days will be paid five (5%) percent acting pay above the Detective's normal base pay retroactive to the first day. Holidays and regularly scheduled days off will not interrupt the calculation of consecutive work days.

SECTION 13. DIFFERENTIAL PAY - ASSISTANT SQUAD LEADERS. A Police Officer who is assigned by the Chief of Police as an Assistant Squad Leader shall be paid, in addition to the salary fixed and established for the classification of Police Officer, additional compensation of five (5%) percent of the compensation which the officer would otherwise be entitled to receive.

SECTION 14. ACTING PAY - MISCELLANEOUS EMPLOYEES. An employee represented by the Modesto City Employees' Association who is temporarily assigned by a Personnel Action form to fill another position for more than 120 consecutive regularly scheduled work hours will be paid five (5%) percent additional compensation above the employee's normal base pay retroactive to the first hour of such assignment. Holidays and regularly scheduled hours and days off will not interrupt the calculation of consecutive work hours.

SECTION 15. PART-TIME EMPLOYMENT. Employees appointed to any of the positions referred to herein who, with the approval of the City Manager, regularly work less hours per week than established for their class by Rule 13.1 of the Personnel Rules, shall be paid in approximate proportion of the time worked.

SECTION 16. EFFECTIVE DATE. This resolution shall become effective on and after June 30, 1981.

SECTION 17. REPEALS. Resolutions No. 80-591, 80-644, 80-780, 80-927, 81-121, 81-267, 81-293 and 81-384 are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

HEDULE A - 1
SCELLANEOUS
PLOYEES
INAL)

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 6/30/81

REVISED

NGE	HOURLY A	B	C	D	E	BI-WEEKLY A	B	C	D	E	MONTHLY A	B	C	D	E
15.5	3.8310	4.0226	4.2237	4.4349	4.6566	306.48	321.81	337.90	354.79	372.53	666.32	699.65	734.63	771.35	809.92
16.0	3.9245	4.1207	4.3267	4.5430	4.7702	313.96	329.66	346.14	363.44	381.62	682.58	716.71	752.54	790.15	829.68
16.5	4.0226	4.2237	4.4349	4.6566	4.8894	321.81	337.90	354.79	372.53	391.15	699.65	734.63	771.35	809.92	850.40
17.0	4.1207	4.3267	4.5430	4.7702	5.0087	329.66	346.14	363.44	381.62	400.70	716.71	752.54	790.15	829.68	871.16
17.5	4.2237	4.4349	4.6566	4.8894	5.1339	337.90	354.79	372.53	391.15	410.71	734.63	771.35	809.92	850.40	892.92
18.0	4.3267	4.5430	4.7702	5.0087	5.2591	346.14	363.44	381.62	400.70	420.73	752.54	790.15	829.68	871.16	914.71
18.5	4.4349	4.6566	4.8894	5.1339	5.3906	354.79	372.53	391.15	410.71	431.25	771.35	809.92	850.40	892.92	937.58
19.0	4.5430	4.7702	5.0087	5.2591	5.5221	363.44	381.62	400.70	420.73	441.77	790.15	829.68	871.16	914.71	960.45
19.5	4.6566	4.8894	5.1339	5.3906	5.6601	372.53	391.15	410.71	431.25	452.81	809.92	850.40	892.92	937.58	984.45
20.0	4.7702	5.0087	5.2591	5.5221	5.7982	381.62	400.70	420.73	441.77	463.86	829.68	871.16	914.71	960.45	1008.48
20.5	4.8894	5.1339	5.3906	5.6601	5.9431	391.15	410.71	431.25	452.81	475.45	850.40	892.92	937.58	984.45	1033.68
21.0	5.0087	5.2591	5.5221	5.7982	6.0881	400.70	420.73	441.77	463.86	487.05	871.16	914.71	960.45	1008.48	1058.90
21.5	5.1339	5.3906	5.6601	5.9431	6.2403	410.71	431.25	452.81	475.45	499.22	892.92	937.58	984.45	1033.68	1085.35
22.0	5.2591	5.5221	5.7982	6.0881	6.3925	420.73	441.77	463.86	487.05	511.40	914.71	960.45	1008.48	1058.90	1111.83
22.5	5.3906	5.6601	5.9431	6.2403	6.5523	431.25	452.81	475.45	499.22	524.18	937.58	984.45	1033.68	1085.35	1139.62
23.0	5.5221	5.7982	6.0881	6.3925	6.7121	441.77	463.86	487.05	511.40	536.97	960.45	1008.48	1058.90	1111.83	1167.43
23.5	5.6601	5.9431	6.2403	6.5523	6.8799	452.81	475.45	499.22	524.18	550.39	984.45	1033.68	1085.35	1139.62	1196.60
24.0	5.7982	6.0881	6.3925	6.7121	7.0477	463.86	487.05	511.40	536.97	563.82	1008.48	1058.90	1111.83	1167.43	1225.80
24.5	5.9431	6.2403	6.5523	6.8799	7.2239	475.45	499.22	524.18	550.39	577.91	1033.68	1085.35	1139.62	1196.60	1256.43
25.0	6.0881	6.3925	6.7121	7.0477	7.4001	487.05	511.40	536.97	563.82	592.01	1058.90	1111.83	1167.43	1225.80	1287.09
25.5	6.2403	6.5523	6.8799	7.2239	7.5851	499.22	524.18	550.39	577.91	606.81	1085.35	1139.62	1196.60	1256.43	1319.27
26.0	6.3925	6.7121	7.0477	7.4001	7.7701	511.40	536.97	563.82	592.01	621.61	1111.83	1167.43	1225.80	1287.09	1351.44
26.5	6.5523	6.8799	7.2239	7.5851	7.9644	524.18	550.39	577.91	606.81	637.15	1139.62	1196.60	1256.43	1319.27	1385.23
27.0	6.7121	7.0477	7.4001	7.7701	8.1586	536.97	563.82	592.01	621.61	652.69	1167.43	1225.80	1287.09	1351.44	1419.01
27.5	6.8799	7.2239	7.5851	7.9644	8.3626	550.39	577.91	606.81	637.15	669.01	1196.60	1256.43	1319.27	1385.23	1454.49
28.0	7.0477	7.4001	7.7701	8.1586	8.5665	563.82	592.01	621.61	652.69	685.32	1225.80	1287.09	1351.44	1419.01	1489.95
28.5	7.2239	7.5851	7.9644	8.3626	8.7807	577.91	606.81	637.15	669.01	702.46	1256.43	1319.27	1385.23	1454.49	1527.22
29.0	7.4001	7.7701	8.1586	8.5665	8.9948	592.01	621.61	652.69	685.32	719.58	1287.09	1351.44	1419.01	1489.95	1564.44
29.5	7.5851	7.9644	8.3626	8.7807	9.2197	606.81	637.15	669.01	702.46	737.58	1319.27	1385.23	1454.49	1527.22	1603.57
30.0	7.7701	8.1586	8.5665	8.9948	9.4445	621.61	652.69	685.32	719.58	755.56	1351.44	1419.01	1489.95	1564.44	1642.66
30.5	7.9644	8.3626	8.7807	9.2197	9.6807	637.15	669.01	702.46	737.58	774.46	1385.23	1454.49	1527.22	1603.57	1683.75
31.0	8.1586	8.5665	8.9948	9.4445	9.9167	652.69	685.32	719.58	755.56	793.34	1419.01	1489.95	1564.44	1642.66	1724.80
31.5	8.3626	8.7807	9.2197	9.6807	10.1647	669.01	702.46	737.58	774.46	813.18	1454.49	1527.22	1603.57	1683.75	1767.93
32.0	8.5665	8.9948	9.4445	9.9167	10.4125	685.32	719.58	755.56	793.34	833.00	1489.95	1564.44	1642.66	1724.80	1811.03
32.5	8.7807	9.2197	9.6807	10.1647	10.6729	702.46	737.58	774.46	813.18	853.83	1527.22	1603.57	1683.75	1767.93	1856.31
33.0	8.9948	9.4445	9.9167	10.4125	10.9331	719.58	755.56	793.34	833.00	874.65	1564.44	1642.66	1724.80	1811.03	1901.58
33.5	9.2197	9.6807	10.1647	10.6729	11.2065	737.58	774.46	813.18	853.83	896.52	1603.57	1683.75	1767.93	1856.31	1949.12

CHEDULE A - 1
ISCELLANEOUS
MPLOYEES
FINAL)

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 6/30/81
BI-WEEKLY

REVISED

RANGE	HOURLY A	B	C	D	E	MONTHLY A	B	C	D	E	A	B	C	D	E
24.0	9.4445	9.9167	10.4125	10.9331	11.4798	755.56	793.34	833.00	874.65	918.38	1642.66	1724.80	1811.03	1901.58	1996.65
24.5	9.6807	10.1647	10.6729	11.2065	11.7668	774.46	813.18	853.83	896.52	941.34	1683.75	1767.93	1856.31	1949.12	2046.57
25.0	9.9167	10.4125	10.9331	11.4798	12.0538	793.34	833.00	874.65	918.38	964.30	1724.80	1811.03	1901.58	1996.65	2096.48
25.5	10.1647	10.6729	11.2065	11.7668	12.3551	813.18	853.83	896.52	941.34	988.41	1767.93	1856.31	1949.12	2046.57	2148.90
26.0	10.4125	10.9331	11.4798	12.0538	12.6565	833.00	874.65	918.38	964.30	1012.52	1811.03	1901.58	1996.65	2096.48	2201.32
26.5	10.6729	11.2065	11.7668	12.3551	12.9729	853.83	896.52	941.34	988.41	1037.83	1856.31	1949.12	2046.57	2148.90	2256.35
27.0	10.9331	11.4798	12.0538	12.6565	13.2893	874.65	918.38	964.30	1012.52	1063.14	1901.58	1996.65	2096.48	2201.32	2311.37
27.5	11.2065	11.7668	12.3551	12.9729	13.6215	896.52	941.34	988.41	1037.83	1089.72	1949.12	2046.57	2148.90	2256.35	2369.16
28.0	11.4798	12.0538	12.6565	13.2893	13.9538	918.38	964.30	1012.52	1063.14	1116.30	1996.65	2096.48	2201.32	2311.37	2426.95
28.5	11.7668	12.3551	12.9729	13.6215	14.3026	941.34	988.41	1037.83	1089.72	1144.21	2046.57	2148.90	2256.35	2369.16	2487.63
29.0	12.0538	12.6565	13.2893	13.9538	14.6515	964.30	1012.52	1063.14	1116.30	1172.12	2096.48	2201.32	2311.37	2426.95	2548.31
29.5	12.3551	12.9729	13.6215	14.3026	15.0177	988.41	1037.83	1089.72	1144.21	1201.42	2148.90	2256.35	2369.16	2487.63	2612.01
30.0	12.6565	13.2893	13.9538	14.6515	15.3841	1012.52	1063.14	1116.30	1172.12	1230.73	2201.32	2311.37	2426.95	2548.31	2675.73
30.5	12.9729	13.6215	14.3026	15.0177	15.7686	1037.83	1089.72	1144.21	1201.42	1261.49	2256.35	2369.16	2487.63	2612.01	2742.61

FICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
NUAL BI-WEEKLY SALARY=HOURLY RATE X 80
ONTHLY SALARY = BI-WKLY RATE X 2.1741

CHEDULE A - 2
ISCELLANEOUS
MPLOYEES
FINAL)

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 10/06/81
BI-WEEKLY

REVISED

ANGE	HOURLY A	B	C	D	E	MONTHLY A	B	C	D	E
05.5	3.9459	4.1432	4.3504	4.5679	4.7963	315.67	331.46	348.03	365.43	383.70
06.0	4.0422	4.2443	4.4565	4.6793	4.9133	323.38	339.54	356.52	374.34	393.06
06.5	4.1432	4.3504	4.5679	4.7963	5.0361	331.46	348.03	365.43	383.70	402.89
07.0	4.2443	4.4565	4.6793	4.9133	5.1590	339.54	356.52	374.34	393.06	412.72
07.5	4.3504	4.5679	4.7963	5.0361	5.2879	348.03	365.43	383.70	402.89	423.03
08.0	4.4565	4.6793	4.9133	5.1590	5.4170	356.52	374.34	393.06	412.72	433.36
08.5	4.5679	4.7963	5.0361	5.2879	5.5523	365.43	383.70	402.89	423.03	444.18
09.0	4.6793	4.9133	5.1590	5.4170	5.6879	374.34	393.06	412.72	433.36	455.03
09.5	4.7963	5.0361	5.2879	5.5523	5.8299	383.70	402.89	423.03	444.18	466.39
10.0	4.9133	5.1590	5.4170	5.6879	5.9723	393.06	412.72	433.36	455.03	477.78
10.5	5.0361	5.2879	5.5523	5.8299	6.1214	402.89	423.03	444.18	466.39	489.71
11.0	5.1590	5.4170	5.6879	5.9723	6.2709	412.72	433.36	455.03	477.78	501.67
11.5	5.2879	5.5523	5.8299	6.1214	6.4275	423.03	444.18	466.39	489.71	514.20
12.0	5.4170	5.6879	5.9723	6.2709	6.5844	433.36	455.03	477.78	501.67	526.75
12.5	5.5523	5.8299	6.1214	6.4275	6.7489	444.18	466.39	489.71	514.20	539.91
13.0	5.6879	5.9723	6.2709	6.5844	6.9136	455.03	477.78	501.67	526.75	553.09
13.5	5.8299	6.1214	6.4275	6.7489	7.0863	466.39	489.71	514.20	539.91	566.90
14.0	5.9723	6.2709	6.5844	6.9136	7.2593	477.78	501.67	526.75	553.09	580.74
14.5	6.1214	6.4275	6.7489	7.0863	7.4406	489.71	514.20	539.91	566.90	595.25
15.0	6.2709	6.5844	6.9136	7.2593	7.6223	501.67	526.75	553.09	580.74	609.78
15.5	6.4275	6.7489	7.0863	7.4406	7.8126	514.20	539.91	566.90	595.25	625.01
16.0	6.5844	6.9136	7.2593	7.6223	8.0034	526.75	553.09	580.74	609.78	640.27
16.5	6.7489	7.0863	7.4406	7.8126	8.2032	539.91	566.90	595.25	625.01	656.26
17.0	6.9136	7.2593	7.6223	8.0034	8.4036	553.09	580.74	609.78	640.27	672.29
17.5	7.0863	7.4406	7.8126	8.2032	8.6134	566.90	595.25	625.01	656.26	689.07
18.0	7.2593	7.6223	8.0034	8.4036	8.8238	580.74	609.78	640.27	672.29	705.90
18.5	7.4406	7.8126	8.2032	8.6134	9.0441	595.25	625.01	656.26	689.07	723.53
19.0	7.6223	8.0034	8.4036	8.8238	9.2650	609.78	640.27	672.29	705.90	741.20
19.5	7.8126	8.2032	8.6134	9.0441	9.4963	625.01	656.26	689.07	723.53	759.70
20.0	8.0034	8.4036	8.8238	9.2650	9.7283	640.27	672.29	705.90	741.20	778.26
20.5	8.2032	8.6134	9.0441	9.4963	9.9711	656.26	689.07	723.53	759.70	797.69
21.0	8.4036	8.8238	9.2650	9.7283	10.2147	672.29	705.90	741.20	778.26	817.18
21.5	8.6134	9.0441	9.4963	9.9711	10.4697	689.07	723.53	759.70	797.69	837.58
22.0	8.8238	9.2650	9.7283	10.2147	10.7254	705.90	741.20	778.26	817.18	858.03
22.5	9.0441	9.4963	9.9711	10.4697	10.9932	723.53	759.70	797.69	837.58	879.46
23.0	9.2650	9.7283	10.2147	10.7254	11.2617	741.20	778.26	817.18	858.03	900.94
23.5	9.4963	9.9711	10.4697	10.9932	11.5429	759.70	797.69	837.58	879.46	923.43

ANGE	MONTHLY A	B	C	D	E
05.5	686.30	720.63	756.65	794.48	834.20
06.0	703.06	738.19	775.11	813.85	854.55
06.5	720.63	756.65	794.48	834.20	875.92
07.0	738.19	775.11	813.85	854.55	897.29
07.5	756.65	794.48	834.20	875.92	919.71
08.0	775.11	813.85	854.55	897.29	942.17
08.5	794.48	834.20	875.92	919.71	965.69
09.0	813.85	854.55	897.29	942.17	989.28
09.5	834.20	875.92	919.71	965.69	1013.98
10.0	854.55	897.29	942.17	989.28	1038.74
10.5	875.92	919.71	965.69	1013.98	1064.68
11.0	897.29	942.17	989.28	1038.74	1090.68
11.5	919.71	965.69	1013.98	1064.68	1117.92
12.0	942.17	989.28	1038.74	1090.68	1145.21
12.5	965.69	1013.98	1064.68	1117.92	1173.82
13.0	989.28	1038.74	1090.68	1145.21	1202.47
13.5	1013.98	1064.68	1117.92	1173.82	1232.50
14.0	1038.74	1090.68	1145.21	1202.47	1262.59
14.5	1064.68	1117.92	1173.82	1232.50	1294.13
15.0	1090.68	1145.21	1202.47	1262.59	1325.72
15.5	1117.92	1173.82	1232.50	1294.13	1358.83
16.0	1145.21	1202.47	1262.59	1325.72	1392.01
16.5	1173.82	1232.50	1294.13	1358.83	1426.77
17.0	1202.47	1262.59	1325.72	1392.01	1461.63
17.5	1232.50	1294.13	1358.83	1426.77	1498.11
18.0	1262.59	1325.72	1392.01	1461.63	1534.70
18.5	1294.13	1358.83	1426.77	1498.11	1573.03
19.0	1325.72	1392.01	1461.63	1534.70	1611.44
19.5	1358.83	1426.77	1498.11	1573.03	1651.66
20.0	1392.01	1461.63	1534.70	1611.44	1692.02
20.5	1426.77	1498.11	1573.03	1651.66	1734.26
21.0	1461.63	1534.70	1611.44	1692.02	1776.63
21.5	1498.11	1573.03	1651.66	1734.26	1820.98
22.0	1534.70	1611.44	1692.02	1776.63	1865.44
22.5	1573.03	1651.66	1734.26	1820.98	1912.03
23.0	1611.44	1692.02	1776.63	1865.44	1958.73
23.5	1651.66	1734.26	1820.98	1912.03	2007.63

CHEDULE A - 2
ISCELLANEOUS
MPLOYEES
FINAL)

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 10/06/81
BI-WEEKLY

REVISED

	HOURLY					BI-WEEKLY					MONTHLY				
ANGE	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E
24.0	9.7283	10.2147	10.7254	11.2617	11.8248	778.26	817.18	858.03	900.94	945.98	1692.02	1776.63	1865.44	1958.73	2056.66
24.5	9.9711	10.4697	10.9932	11.5429	12.1200	797.69	837.58	879.46	923.43	969.60	1734.26	1820.98	1912.03	2007.63	2108.01
25.0	10.2147	10.7254	11.2617	11.8248	12.4160	817.18	858.03	900.94	945.98	993.28	1776.63	1865.44	1958.73	2056.66	2159.49
25.5	10.4697	10.9932	11.5429	12.1200	12.7260	837.58	879.46	923.43	969.60	1018.08	1820.98	1912.03	2007.63	2108.01	2213.41
26.0	10.7254	11.2617	11.8248	12.4160	13.0368	858.03	900.94	945.98	993.28	1042.94	1865.44	1958.73	2056.66	2159.49	2267.46
26.5	10.9932	11.5429	12.1200	12.7260	13.3623	879.46	923.43	969.60	1018.08	1068.98	1912.03	2007.63	2108.01	2213.41	2324.07
27.0	11.2617	11.8248	12.4160	13.0368	13.6886	900.94	945.98	993.28	1042.94	1095.09	1958.73	2056.66	2159.49	2267.46	2380.84
27.5	11.5429	12.1200	12.7260	13.3623	14.0304	923.43	969.60	1018.08	1068.98	1122.43	2007.63	2108.01	2213.41	2324.07	2440.28
28.0	11.8248	12.4160	13.0368	13.6886	14.3730	945.98	993.28	1042.94	1095.09	1149.84	2056.66	2159.49	2267.46	2380.84	2499.87
28.5	12.1200	12.7260	13.3623	14.0304	14.7319	969.60	1018.08	1068.98	1122.43	1178.55	2108.01	2213.41	2324.07	2440.28	2562.29
29.0	12.4160	13.0368	13.6886	14.3730	15.0917	993.28	1042.94	1095.09	1149.84	1207.34	2159.49	2267.46	2380.84	2499.87	2624.88
29.5	12.7260	13.3623	14.0304	14.7319	15.4685	1018.08	1068.98	1122.43	1178.55	1237.48	2213.41	2324.07	2440.28	2562.29	2690.41
30.0	13.0368	13.6886	14.3730	15.0917	15.8463	1042.94	1095.09	1149.84	1207.34	1267.70	2267.46	2380.84	2499.87	2624.88	2756.11
30.5	13.3623	14.0304	14.7319	15.4685	16.2419	1068.98	1122.43	1178.55	1237.48	1299.35	2324.07	2440.28	2562.29	2690.41	2824.92

FFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
~~UAL BI-WEEKLY~~ SALARY=HOURLY RATE X 80
ONTHLY SALARY = BI-WKLY RATE X 2.1741

SCHEDULE A - 3
MISCELLANEOUS
EMPLOYEES
(NAL)

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 12/29/81
BI-WEEKLY

REVISED

RANGE	HOURLY					MONTHLY				
	A	B	C	D	E	A	B	C	D	E
15.0	3.9459	4.1432	4.3504	4.5679	4.7963	315.67	331.46	348.03	365.43	383.70	686.30	720.63	756.65	794.48	834.20
16.0	4.0422	4.2443	4.4565	4.6793	4.9133	323.38	339.54	356.52	374.34	393.06	703.06	738.19	775.11	813.85	854.55
16.5	4.1432	4.3504	4.5679	4.7963	5.0361	331.46	348.03	365.43	383.70	402.89	720.63	756.65	794.48	834.20	875.92
17.0	4.2443	4.4565	4.6793	4.9133	5.1590	339.54	356.52	374.34	393.06	412.72	738.19	775.11	813.85	854.55	897.29
17.5	4.3504	4.5679	4.7963	5.0361	5.2879	348.03	365.43	383.70	402.89	423.03	756.65	794.48	834.20	875.92	919.71
18.0	4.4565	4.6793	4.9133	5.1590	5.4170	356.52	374.34	393.06	412.72	433.36	775.11	813.85	854.55	897.29	942.17
18.5	4.5679	4.7963	5.0361	5.2879	5.5523	365.43	383.70	402.89	423.03	444.18	794.48	834.20	875.92	919.71	965.69
19.0	4.6793	4.9133	5.1590	5.4170	5.6879	374.34	393.06	412.72	433.36	455.03	813.85	854.55	897.29	942.17	989.28
19.5	4.7963	5.0361	5.2879	5.5523	5.8299	383.70	402.89	423.03	444.18	466.39	834.20	875.92	919.71	965.69	1013.98
20.0	4.9133	5.1590	5.4170	5.6879	5.9723	393.06	412.72	433.36	455.03	477.78	854.55	897.29	942.17	989.28	1038.74
20.5	5.0361	5.2879	5.5523	5.8299	6.1214	402.89	423.03	444.18	466.39	489.71	875.92	919.71	965.69	1013.98	1064.68
21.0	5.1590	5.4170	5.6879	5.9723	6.2709	412.72	433.36	455.03	477.78	501.67	897.29	942.17	989.28	1038.74	1090.68
21.5	5.2879	5.5523	5.8299	6.1214	6.4275	423.03	444.18	466.39	489.71	514.20	919.71	965.69	1013.98	1064.68	1117.92
22.0	5.4170	5.6879	5.9723	6.2709	6.5844	433.36	455.03	477.78	501.67	526.75	942.17	989.28	1038.74	1090.68	1145.21
22.5	5.5523	5.8299	6.1214	6.4275	6.7489	444.18	466.39	489.71	514.20	539.91	965.69	1013.98	1064.68	1117.92	1173.82
23.0	5.6879	5.9723	6.2709	6.5844	6.9136	455.03	477.78	501.67	526.75	553.09	989.28	1038.74	1090.68	1145.21	1202.47
23.5	5.8299	6.1214	6.4275	6.7489	7.0863	466.39	489.71	514.20	539.91	566.90	1013.98	1064.68	1117.92	1173.82	1232.50
24.0	5.9723	6.2709	6.5844	6.9136	7.2593	477.78	501.67	526.75	553.09	580.74	1038.74	1090.68	1145.21	1202.47	1262.59
24.5	6.1214	6.4275	6.7489	7.0863	7.4406	489.71	514.20	539.91	566.90	595.25	1064.68	1117.92	1173.82	1232.50	1294.13
25.0	6.2709	6.5844	6.9136	7.2593	7.6223	501.67	526.75	553.09	580.74	609.78	1090.68	1145.21	1202.47	1262.59	1325.72
25.5	6.4275	6.7489	7.0863	7.4406	7.8126	514.20	539.91	566.90	595.25	625.01	1117.92	1173.82	1232.50	1294.13	1358.83
26.0	6.5844	6.9136	7.2593	7.6223	8.0034	526.75	553.09	580.74	609.78	640.27	1145.21	1202.47	1262.59	1325.72	1392.01
26.5	6.7489	7.0863	7.4406	7.8126	8.2032	539.91	566.90	595.25	625.01	656.26	1173.82	1232.50	1294.13	1358.83	1426.77
27.0	6.9136	7.2593	7.6223	8.0034	8.4036	553.09	580.74	609.78	640.27	672.29	1202.47	1262.59	1325.72	1392.01	1461.63
27.5	7.0863	7.4406	7.8126	8.2032	8.6134	566.90	595.25	625.01	656.26	689.07	1232.50	1294.13	1358.83	1426.77	1498.11
28.0	7.2593	7.6223	8.0034	8.4036	8.8238	580.74	609.78	640.27	672.29	705.90	1262.59	1325.72	1392.01	1461.63	1534.70
28.5	7.4406	7.8126	8.2032	8.6134	9.0441	595.25	625.01	656.26	689.07	723.53	1294.13	1358.83	1426.77	1498.11	1573.03
29.0	7.6223	8.0034	8.4036	8.8238	9.2650	609.78	640.27	672.29	705.90	741.20	1325.72	1392.01	1461.63	1534.70	1611.44
29.5	7.8126	8.2032	8.6134	9.0441	9.4963	625.01	656.26	689.07	723.53	759.70	1358.83	1426.77	1498.11	1573.03	1651.66
30.0	8.0034	8.4036	8.8238	9.2650	9.7283	640.27	672.29	705.90	741.20	778.26	1392.01	1461.63	1534.70	1611.44	1692.02
30.5	8.2032	8.6134	9.0441	9.4963	9.9711	656.26	689.07	723.53	759.70	797.69	1426.77	1498.11	1573.03	1651.66	1734.26
31.0	8.4036	8.8238	9.2650	9.7283	10.2147	672.29	705.90	741.20	778.26	817.18	1461.63	1534.70	1611.44	1692.02	1776.63
31.5	8.6134	9.0441	9.4963	9.9711	10.4697	689.07	723.53	759.70	797.69	837.58	1498.11	1573.03	1651.66	1734.26	1820.98
32.0	8.8238	9.2650	9.7283	10.2147	10.7254	705.90	741.20	778.26	817.18	858.03	1534.70	1611.44	1692.02	1776.63	1865.44
32.5	9.0441	9.4963	9.9711	10.4697	10.9932	723.53	759.70	797.69	837.58	879.46	1573.03	1651.66	1734.26	1820.98	1912.03
33.0	9.2650	9.7283	10.2147	10.7254	11.2617	741.20	778.26	817.18	858.03	900.94	1611.44	1692.02	1776.63	1865.44	1958.73
33.5	9.4963	9.9711	10.4697	10.9932	11.5429	759.70	797.69	837.58	879.46	923.43	1651.66	1734.26	1820.98	1912.03	2007.63

CHEDULE A - 3
ISCELLANEOUS
MPLOYEES
FINAL)

CITY OF MODESTO

SCHEDULE OF SALARY RANGES IN CITY SERVICE

EFFECTIVE 12/29/81

REVISED

ANGE	HOURLY A	B	C	D	E	BI-WEEKLY A	B	C	D	E	MONTHLY A	B	C	D	E
24.0	9.7283	10.2147	10.7254	11.2617	11.8248	778.26	817.18	858.03	900.94	945.98	1692.02	1776.63	1865.44	1958.73	2056.66
24.5	9.9711	10.4697	10.9932	11.5429	12.1200	797.69	837.58	879.46	923.43	969.60	1734.26	1820.98	1912.03	2007.63	2108.01
25.0	10.2147	10.7254	11.2617	11.8248	12.4160	817.18	858.03	900.94	945.98	993.28	1776.63	1865.44	1958.73	2056.66	2159.49
25.5	10.4697	10.9932	11.5429	12.1200	12.7260	837.58	879.46	923.43	969.60	1018.08	1820.98	1912.03	2007.63	2108.01	2213.41
26.0	10.7254	11.2617	11.8248	12.4160	13.0368	858.03	900.94	945.98	993.28	1042.94	1865.44	1958.73	2056.66	2159.49	2267.46
26.5	10.9932	11.5429	12.1200	12.7260	13.3623	879.46	923.43	969.60	1018.08	1068.98	1912.03	2007.63	2108.01	2213.41	2324.07
27.0	11.2617	11.8248	12.4160	13.0368	13.6886	900.94	945.98	993.28	1042.94	1095.09	1958.73	2056.66	2159.49	2267.46	2380.84
27.5	11.5429	12.1200	12.7260	13.3623	14.0304	923.43	969.60	1018.08	1068.98	1122.43	2007.63	2108.01	2213.41	2324.07	2440.28
28.0	11.8248	12.4160	13.0368	13.6886	14.3730	945.98	993.28	1042.94	1095.09	1149.84	2056.66	2159.49	2267.46	2380.84	2499.87
28.5	12.1200	12.7260	13.3623	14.0304	14.7319	969.60	1018.08	1068.98	1122.43	1178.55	2108.01	2213.41	2324.07	2440.28	2562.29
29.0	12.4160	13.0368	13.6886	14.3730	15.0917	993.28	1042.94	1095.09	1149.84	1207.34	2159.49	2267.46	2380.84	2499.87	2624.88
29.5	12.7260	13.3623	14.0304	14.7319	15.4685	1018.08	1068.98	1122.43	1178.55	1237.48	2213.41	2324.07	2440.28	2562.29	2690.41
30.0	13.0368	13.6886	14.3730	15.0917	15.8463	1042.94	1095.09	1149.84	1207.34	1267.70	2267.46	2380.84	2499.87	2624.88	2756.11
30.5	13.3623	14.0304	14.7319	15.4685	16.2419	1068.98	1122.43	1178.55	1237.48	1299.35	2324.07	2440.28	2562.29	2690.41	2824.92

FICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
UAL BI-WEEKLY SALARY=HOURLY RATE X 80
NTHLY SALARY = BI-WKLY RATE X 2.1741

SCHEDULE B-1
FIREFIGHTERS

(FINAL)

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 6/30/81
BI-WEEKLY

	HOURLY					BI-WEEKLY					MONTHLY				
RANGE	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E
210.0	7.0387	7.3906	7.7601	8.1481	8.5555	788.33	827.75	869.13	912.59	958.22	1713.91	1799.61	1889.58	1984.06	2083.27
210.5	7.2149	7.5755	7.9543	8.3520	8.7696	808.06	848.46	890.88	935.42	982.20	1756.80	1844.64	1936.86	2033.70	2135.40
211.0	7.3906	7.7601	8.1481	8.5555	8.9833	827.75	869.13	912.59	958.22	1006.13	1799.61	1889.58	1984.06	2083.27	2187.43
211.5	7.5755	7.9543	8.3520	8.7696	9.2081	848.46	890.88	935.42	982.20	1031.31	1844.64	1936.86	2033.70	2135.40	2242.17
212.0	7.7601	8.1481	8.5555	8.9833	9.4325	869.13	912.59	958.22	1006.13	1056.44	1889.58	1984.06	2083.27	2187.43	2296.81
212.5	7.9543	8.3520	8.7696	9.2081	9.6685	890.88	935.42	982.20	1031.31	1082.87	1936.86	2033.70	2135.40	2242.17	2354.27
213.0	8.1481	8.5555	8.9833	9.4325	9.9041	912.59	958.22	1006.13	1056.44	1109.26	1984.06	2083.27	2187.43	2296.81	2411.64
213.5	8.3520	8.7696	9.2081	9.6685	10.1519	935.42	982.20	1031.31	1082.87	1137.01	2033.70	2135.40	2242.17	2354.27	2471.97
214.0	8.5555	8.9833	9.4325	9.9041	10.3993	958.22	1006.13	1056.44	1109.26	1164.72	2083.27	2187.43	2296.81	2411.64	2532.22
214.5	8.7696	9.2081	9.6685	10.1519	10.6595	982.20	1031.31	1082.87	1137.01	1193.86	2135.40	2242.17	2354.27	2471.97	2595.57

OFFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
ACTUAL BI-WEEKLY SALARY=HOURLY RATE X 112
~~MONTHLY SALARY = BI-WKLY RATE X 2.1741~~

Exhibit "B-1"

HEDULE C-1
LIC: PERSONNEL

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 6/30/81
BI-WEEKLY

:INAL)	HOURLY										MONTHLY				
INGE	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E
.0.0	9.8537	10.3464	10.8637	11.4069	11.9772	788.30	827.71	869.10	912.55	958.18	1713.84	1799.52	1889.51	1983.97	2083.18
.1.0	10.3464	10.8637	11.4069	11.9772	12.5761	827.71	869.10	912.55	958.18	1006.09	1799.52	1889.51	1983.97	2083.18	2187.34
.2.0	10.8637	11.4069	11.9772	12.5761	13.2049	869.10	912.55	958.18	1006.09	1056.39	1889.51	1983.97	2083.18	2187.34	2296.70
.3.0	11.4069	11.9772	12.5761	13.2049	13.8651	912.55	958.18	1006.09	1056.39	1109.21	1983.97	2083.18	2187.34	2296.70	2411.53
0.0			T* 8.8683					T* 709.46					T* 1542.45		

Training Step

FICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
TUAL BI-WEEKLY SALARY=HOURLY RATE X 80
NTHLY SALARY = BI-WKLY RATE X 2.1741

Exhibit "C-1"

CHEDULE D-1
~~ASSIFIED~~ MANAGEMNT
NO CONF. EMPLOYEES
FINAL

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 6/30/81

HOURLY — BI-WEEKLY — MONTHLY

ANGE	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E
10.0	4.7702	5.0087	5.2591	5.5221	5.7982	381.62	400.70	420.73	441.77	463.86	829.68	871.16	914.71	960.45	1008.48
10.5	4.8894	5.1339	5.3906	5.6601	5.9431	391.15	410.71	431.25	452.81	475.45	850.40	892.92	937.58	984.45	1033.68
11.0	5.0087	5.2591	5.5221	5.7982	6.0881	400.70	420.73	441.77	463.86	487.05	871.16	914.71	960.45	1008.48	1058.90
11.5	5.1339	5.3906	5.6601	5.9431	6.2403	410.71	431.25	452.81	475.45	499.22	892.92	937.58	984.45	1033.68	1085.35
12.0	5.2591	5.5221	5.7982	6.0881	6.3925	420.73	441.77	463.86	487.05	511.40	914.71	960.45	1008.48	1058.90	1111.83
12.5	5.3906	5.6601	5.9431	6.2403	6.5523	431.25	452.81	475.45	499.22	524.18	937.58	984.45	1033.68	1085.35	1139.62
13.0	5.5221	5.7982	6.0881	6.3925	6.7121	441.77	463.86	487.05	511.40	536.97	960.45	1008.48	1058.90	1111.83	1167.43
13.5	5.6601	5.9431	6.2403	6.5523	6.8799	452.81	475.45	499.22	524.18	550.39	984.45	1033.68	1085.35	1139.62	1196.60
14.0	5.7982	6.0881	6.3925	6.7121	7.0477	463.86	487.05	511.40	536.97	563.82	1008.48	1058.90	1111.83	1167.43	1225.80
14.5	5.9431	6.2403	6.5523	6.8799	7.2239	475.45	499.22	524.18	550.39	577.91	1033.68	1085.35	1139.62	1196.60	1256.43
15.0	6.0881	6.3925	6.7121	7.0477	7.4001	487.05	511.40	536.97	563.82	592.01	1058.90	1111.83	1167.43	1225.80	1287.09
15.5	6.2403	6.5523	6.8799	7.2239	7.5851	499.22	524.18	550.39	577.91	606.81	1085.35	1139.62	1196.60	1256.43	1319.27
16.0	6.3925	6.7121	7.0477	7.4001	7.7701	511.40	536.97	563.82	592.01	621.61	1111.83	1167.43	1225.80	1287.09	1351.44
16.5	6.5523	6.8799	7.2239	7.5851	7.9644	524.18	550.39	577.91	606.81	637.15	1139.62	1196.60	1256.43	1319.27	1385.23
17.0	6.7121	7.0477	7.4001	7.7701	8.1586	536.97	563.82	592.01	621.61	652.69	1167.43	1225.80	1287.09	1351.44	1419.01
17.5	6.8799	7.2239	7.5851	7.9644	8.3626	550.39	577.91	606.81	637.15	669.[illegible]	1196.60	1256.43	1319.27	1385.23	1454.49
18.0	7.0477	7.4001	7.7701	8.1586	8.5665	563.82	592.01	621.61	652.69	685.[illegible]	1225.80	1287.09	1351.44	1419.01	1489.95
18.5	7.2239	7.5851	7.9644	8.3626	8.7807	577.91	606.81	637.15	669.01	702.[illegible]	1256.43	1319.27	1385.23	1454.49	1527.22
19.0	7.4001	7.7701	8.1586	8.5665	8.9948	592.01	621.61	652.69	685.32	719.58	1287.09	1351.44	1419.01	1489.95	1564.44
19.5	7.5851	7.9644	8.3626	8.7807	9.2197	606.81	637.15	669.01	702.46	737.58	1319.27	1385.23	1454.49	1527.22	1603.57
20.0	7.7701	8.1586	8.5665	8.9948	9.4445	621.61	652.69	685.32	719.58	755.56	1351.44	1419.01	1489.95	1564.44	1642.66
20.5	7.9644	8.3626	8.7807	9.2197	9.6807	637.15	669.01	702.46	737.58	774.46	1385.23	1454.49	1527.22	1603.57	1683.75
21.0	8.1586	8.5665	8.9948	9.4445	9.9167	652.69	685.32	719.58	755.56	793.34	1419.01	1489.95	1564.44	1642.66	1724.80
21.5	8.3626	8.7807	9.2197	9.6807	10.1647	669.01	702.46	737.58	774.46	813.18	1454.49	1527.22	1603.57	1683.75	1767.93
22.0	8.5665	8.9948	9.4445	9.9167	10.4125	685.32	719.58	755.56	793.34	833.00	1489.95	1564.44	1642.66	1724.80	1811.03
22.5	8.7807	9.2197	9.6807	10.1647	10.6729	702.46	737.58	774.46	813.18	853.83	1527.22	1603.57	1683.75	1767.93	1856.31
23.0	8.9948	9.4445	9.9167	10.4125	10.9331	719.58	755.56	793.34	833.00	874.65	1564.44	1642.66	1724.80	1811.03	1901.58
23.5	9.2197	9.6807	10.1647	10.6729	11.2065	737.58	774.46	813.18	853.83	896.52	1603.57	1683.75	1767.93	1856.31	1949.12
24.0	9.4445	9.9167	10.4125	10.9331	11.4798	755.56	793.34	833.00	874.65	918.38	1642.66	1724.80	1811.03	1901.58	1996.65
24.5	9.6807	10.1647	10.6729	11.2065	11.7668	774.46	813.18	853.83	896.52	941.34	1683.75	1767.93	1856.31	1949.12	2046.57
25.0	9.9167	10.4125	10.9331	11.4798	12.0538	793.34	833.00	874.65	918.38	964.30	1724.80	1811.03	1901.58	1996.65	2096.48
25.5	10.1647	10.6729	11.2065	11.7668	12.3551	813.18	853.83	896.52	941.34	988.41	1767.93	1856.31	1949.12	2046.57	2148.90
26.0	10.4125	10.9331	11.4798	12.0538	12.6565	833.00	874.65	918.38	964.30	1012.52	1811.03	1901.58	1996.65	2096.48	2201.32
26.5	10.6729	11.2065	11.7668	12.3551	12.9729	853.83	896.52	941.34	988.41	1037.83	1856.31	1949.12	2046.57	2148.90	2256.35
27.0	10.9331	11.4798	12.0538	12.6565	13.2893	874.65	918.38	964.30	1012.52	1063.14	1901.58	1996.65	2096.48	2201.32	2311.37
27.5	11.2065	11.7668	12.3551	12.9729	13.6215	896.52	941.34	988.41	1037.83	1089.72	1949.12	2046.57	2148.90	2256.35	2369.16
28.0	11.4798	12.0538	12.6565	13.2893	13.9538	918.38	964.30	1012.52	1063.14	1116.30	1996.65	2096.48	2201.32	2311.37	2426.95

Exhibit "D-1"

HEDU- E 5-1
.ASSIFIED MANAGEMNT
ID CONF. EMPLOYEES
=INAL)

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 6/30/81
BI-WEEKLY

	HOURLY					MONTHLY									
ANGE	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E
28.	11.7668	12.3551	12.9729	13.6215	14.3026	941.34	988.41	1037.83	1089.72	1144.21	2046.57	2148.90	2256.35	2369.16	2487.63
29.	12.0538	12.6565	13.2893	13.9538	14.6515	964.30	1012.52	1063.14	1116.30	1172.12	2096.48	2201.32	2311.37	2426.95	2548.31
24.	12.3551	12.9729	13.6215	14.3026	15.0177	988.41	1037.83	1089.72	1144.21	1201.42	2148.90	2256.35	2369.16	2487.63	2612.01
30.	12.6565	13.2893	13.9538	14.6515	15.3841	1012.52	1063.14	1116.30	1172.12	1230.73	2201.32	2311.37	2426.95	2548.31	2675.73
30.	12.9729	13.6215	14.3026	15.0177	15.7686	1037.83	1089.72	1144.21	1201.42	1261.49	2256.35	2369.16	2487.63	2612.01	2742.61
31.	13.2893	13.9538	14.6515	15.3841	16.1533	1063.14	1116.30	1172.12	1230.73	1292.26	2311.37	2426.95	2548.31	2675.73	2809.50
31.	13.6215	14.3026	15.0177	15.7686	16.5570	1089.72	1144.21	1201.42	1261.49	1324.56	2369.16	2487.63	2612.01	2742.61	2879.73
32.	13.9538	14.6515	15.3841	16.1533	16.9610	1116.30	1172.12	1230.73	1292.26	1356.88	2426.95	2548.31	2675.73	2809.50	2949.99
32.	14.3026	15.0177	15.7686	16.5570	17.3849	1144.21	1201.42	1261.49	1324.56	1390.79	2487.63	2612.01	2742.61	2879.73	3023.72
33.	14.6515	15.3841	16.1533	16.9610	17.8091	1172.12	1230.73	1292.26	1356.88	1424.73	2548.31	2675.73	2809.50	2949.99	3097.51
34.	15.0177	15.7686	16.5570	17.3849	18.2541	1201.42	1261.49	1324.56	1390.79	1460.33	2612.01	2742.61	2879.73	3023.72	3174.90
34.	15.3841	16.1533	16.9610	17.8091	18.6996	1230.73	1292.26	1356.88	1424.73	1495.97	2675.73	2809.50	2949.99	3097.51	3252.39
34.	15.7686	16.5570	17.3849	18.2541	19.1668	1261.49	1324.56	1390.79	1460.33	1533.34	2742.61	2879.73	3023.72	3174.90	3333.63
35.	16.1533	16.9610	17.8091	18.6996	19.6346	1292.26	1356.88	1424.73	1495.97	1570.77	2809.50	2949.99	3097.51	3252.39	3415.01
35.	16.5570	17.3849	18.2541	19.1668	20.1251	1324.56	1390.79	1460.33	1533.34	1610.01	2879.73	3023.72	3174.90	3333.63	3500.32
36.	16.9610	17.8091	18.6996	19.6346	20.6163	1356.88	1424.73	1495.97	1570.77	1649.30	2949.99	3097.51	3252.39	3415.01	3585.74
36.	17.3849	18.2541	19.1668	20.1251	21.1314	1390.79	1460.33	1533.34	1610.01	1690.51	3023.72	3174.90	3333.63	3500.32	3675.34
37.	17.8091	18.6996	19.6346	20.6163	21.6471	1424.73	1495.97	1570.77	1649.30	1731.77	3097.51	3252.39	3415.01	3585.74	3765.04
37.	18.2541	19.1668	20.1251	21.1314	22.1880	1460.33	1533.34	1610.01	1690.51	1775.04	3174.90	3333.63	3500.32	3675.34	3859.11
38.	18.6996	19.6346	20.6163	21.6471	22.7295	1495.97	1570.77	1649.30	1731.77	1818.36	3252.39	3415.01	3585.74	3765.04	3953.30
38.	19.1668	20.1251	21.1314	22.1880	23.2974	1533.34	1610.01	1690.51	1775.04	1863.79	3333.63	3500.32	3675.34	3859.11	4052.07
39.	19.6346	20.6163	21.6471	22.7295	23.8660	1570.77	1649.30	1731.77	1818.36	1909.28	3415.01	3585.74	3765.04	3953.30	4150.97
39.	20.1251	21.1314	22.1880	23.2974	24.4623	1610.01	1690.51	1775.04	1863.79	1956.98	3500.32	3675.34	3859.11	4052.07	4254.67
40.	20.6163	21.6471	22.7295	23.8660	25.0593	1649.30	1731.77	1818.36	1909.28	2004.74	3585.74	3765.04	3953.30	4150.97	4358.51
41.	21.1314	22.1880	23.2974	24.4623	25.6854	1690.51	1775.04	1863.79	1956.98	2054.83	3675.34	3859.11	4052.07	4254.67	4467.41
29.	13.1949	13.8546	14.5473	15.2747	16.0384	1055.59	1108.37	1163.78	1221.98	1283.07	2294.96	2409.71	2530.17	2656.71	2789.52
30.	13.8546	14.5473	15.2747	16.0384	16.8403	1108.37	1163.78	1221.98	1283.07	1347.22	2409.71	2530.17	2656.71	2789.52	2928.99
31.	14.5473	15.2747	16.0384	16.8403	17.6823	1163.78	1221.98	1283.07	1347.22	1414.58	2530.17	2656.71	2789.52	2928.99	3075.44
27.	11.4245	11.9957	12.5955	13.2253	13.8866	913.96	959.66	1007.64	1058.02	1110.93	1987.04	2086.40	2190.71	2300.24	2415.27
27.	11.7101	12.2956	12.9104	13.5559	14.2337	936.81	983.65	1032.83	1084.47	1138.70	2036.72	2138.55	2245.48	2357.75	2475.65
28.	12.0357	12.5955	13.2253	13.8866	14.5809	959.66	1007.64	1058.02	1110.93	1166.47	2086.40	2190.71	2300.24	2415.27	2536.02
28.	12.2956	12.9104	13.5559	14.2337	14.9454	983.65	1032.83	1084.47	1138.70	1195.63	2138.55	2245.48	2357.75	2475.65	2599.42
29.	12.5955	13.2253	13.8866	14.5809	15.3099	1007.64	1058.02	1110.93	1166.47	1224.79	2190.71	2300.24	2415.27	2536.02	2662.82
29.	12.9104	13.5559	14.2337	14.9454	15.6927	1032.83	1084.47	1138.70	1195.63	1255.42	2245.48	2357.75	2475.65	2599.42	2729.41
30.	13.2253	13.8866	14.5809	15.3099	16.0754	1058.02	1110.93	1166.47	1224.79	1286.03	2300.24	2415.27	2536.02	2662.82	2795.96
30.	13.5559	14.2337	14.9454	15.6927	16.4773	1084.47	1138.70	1195.63	1255.42	1318.18	2357.75	2475.65	2599.42	2729.41	2865.86
31.	13.8866	14.5809	15.3099	16.0754	16.8792	1110.93	1166.47	1224.79	1286.03	1350.3[illegible]	2415.27	2536.02	2662.82	2795.96	2935.77
31.	14.2337	14.9454	15.6927	16.4773	17.3012	1138.70	1195.63	1255.42	1318.18	1384.10	2475.65	2599.42	2729.41	2865.86	3009.17

HEDU E 0-1
ASSI-IED MANAGEMNT
D CONF. EMPLOYEES
INAL)

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 6/30/81
BI-WEEKLY

	HOURLY					BI-WEEKLY					MONTHLY				
NGE	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E
12	14.5809	15.3099	16.0754	16.8792	17.7232	1166.47	1224.79	1286.03	1350.34	1417.86	2536.02	2662.82	2795.96	2935.77	3082.57
12	14.9454	15.6927	16.4773	17.3012	18.1663	1195.63	1255.42	1318.18	1384.10	1453.30	2599.42	2729.41	2865.86	3009.17	3159.62
13	15.3099	16.0754	16.8792	17.7232	18.6094	1224.79	1286.03	1350.34	1417.86	1488.75	2662.82	2795.96	2935.77	3082.57	3236.69
13	15.6927	16.4773	17.3012	18.1663	19.0746	1255.42	1318.18	1384.10	1453.30	1525.97	2729.41	2865.86	3009.17	3159.62	3317.61

FICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
TUAL BI-WEEKLY SALARY=HOURLY RATE X 80
NTHLY SALARY = BI-WKLY RATE X 2.1741

Schedule E-1
Unclassified Management and
Council Appointees

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
Effective June 30, 1981

	Rate	A	B	C	D	E
Council Appointed						
City Manager	Hourly					29.3047
	Biweekly					2,344.38
	Monthly					5,096.92
City Attorney	Hourly					24.9308
	Biweekly					1,994.46
	Monthly					4,336.16
City Clerk and Auditor	Hourly	13.6844	14.3687	15.0871	15.8415	16.6336
	Biweekly	1,094.75	1,149.50	1,206.97	1,267.32	1,330.69
	Monthly	2,380.10	2,499.13	2,624.07	2,755.28	2,893.05
Unclassified Management						
Director of Finance	Hourly	17.3798	18.2487	19.1611	20.1192	21.1252
	Biweekly	1,390.38	1,459.90	1,532.89	1,609.54	1,690.02
	Monthly	3,022.83	3,173.97	3,332.66	3,499.30	3,674.27
Director of Management Services	Hourly	17.3798	18.2487	19.1611	20.1192	21.1252
	Biweekly	1,390.38	1,459.90	1,532.89	1,609.54	1,690.02
	Monthly	3,022.83	3,173.97	3,332.66	3,499.30	3,674.27
Director of Parking and Traffic	Hourly	17.3798	18.2487	19.1611	20.1192	21.1252
	Biweekly	1,390.38	1,459.90	1,532.89	1,609.54	1,690.02
	Monthly	3,022.83	3,173.97	3,332.66	3,499.30	3,674.27
Director of Parks and Recreation	Hourly	17.8155	18.7063	19.6416	20.6236	21.6548
	Biweekly	1,425.24	1,496.50	1,571.33	1,649.89	1,732.38
	Monthly	3,098.61	3,253.54	3,416.23	3,587.03	3,766.37
Director of Planning and Community Development	Hourly	17.3798	18.2487	19.1611	20.1192	21.1252
	Biweekly	1,390.38	1,459.90	1,532.89	1,609.54	1,690.02
	Monthly	3,022.83	3,173.97	3,332.66	3,499.30	3,674.27
Director of Public Works and City Engineer	Hourly	20.5106	21.5361	22.6130	23.7436	24.9308
	Biweekly	1,640.85	1,722.89	1,809.04	1,899.49	1,994.46
	Monthly	3,567.37	3,745.74	3,933.03	4,129.68	4,336.16
Fire Chief	Hourly	17.3798	18.2487	19.1611	20.1192	21.1252
	Biweekly	1,390.39	1,459.90	1,532.89	1,609.54	1,690.02
	Monthly	3,022.83	3,173.97	3,332.66	3,499.30	3,674.27
Chief of Police	Hourly	18.9592	19.9072	20.9026	21.9477	23.0451
	Biweekly	1,516.74	1,592.58	1,672.21	1,755.82	1,843.61
	Monthly	3,297.54	3,462.43	3,635.55	3,817.33	4,008.19

Exhibit "E-1"

HEDULE A-2
SCELLANEOUS
PLOYEES
INAL)

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 10/06/81

	HOURLY					BI-WEEKLY					MONTHLY				
NGE	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E
5.5	3.9458	4.1431	4.3503	4.5678	4.7962	315.66	331.45	348.02	365.42	383.70	686.28	720.61	756.63	794.46	834.20
6.0	4.0420	4.2441	4.4563	4.6791	4.9131	323.36	339.53	356.50	374.33	393.05	703.02	738.17	775.07	813.83	854.53
6.5	4.1431	4.3503	4.5678	4.7962	5.0360	331.45	348.02	365.42	383.70	402.88	720.61	756.63	794.46	834.20	875.90
7.0	4.2441	4.4563	4.6791	4.9131	5.1588	339.53	356.50	374.33	393.05	412.70	738.17	775.07	813.83	854.53	897.25
7.5	4.3503	4.5678	4.7962	5.0360	5.2878	348.02	365.42	383.70	402.88	423.02	756.63	794.46	834.20	875.90	919.69
8.0	4.4563	4.6791	4.9131	5.1588	5.4167	356.50	374.33	393.05	412.70	433.34	775.07	813.83	854.53	897.25	942.12
8.5	4.5678	4.7962	5.0360	5.2878	5.5522	365.42	383.70	402.88	423.02	444.18	794.46	834.20	875.90	919.69	965.69
9.0	4.6791	4.9131	5.1588	5.4167	5.6875	374.33	393.05	412.70	433.34	455.00	813.83	854.53	897.25	942.12	989.22
9.5	4.7962	5.0360	5.2878	5.5522	5.8298	383.70	402.88	423.02	444.18	466.38	834.20	875.90	919.69	965.69	1013.96
0.0	4.9131	5.1588	5.4167	5.6875	5.9719	393.05	412.70	433.34	455.00	477.75	854.53	897.25	942.12	989.22	1038.68
0.5	5.0360	5.2878	5.5522	5.8298	6.1213	402.88	423.02	444.18	466.38	489.70	875.90	919.69	965.69	1013.96	1064.65
1.0	5.1588	5.4167	5.6875	5.9719	6.2705	412.70	433.34	455.00	477.75	501.64	897.25	942.12	989.22	1038.68	1090.62
1.5	5.2878	5.5522	5.8298	6.1213	6.4274	423.02	444.18	466.38	489.70	514.19	919.69	965.69	1013.96	1064.66	1117.90
2.0	5.4167	5.6875	5.9719	6.2705	6.5840	433.34	455.00	477.75	501.64	526.72	942.12	989.22	1038.68	1090.62	1145.14
2.5	5.5522	5.8298	6.1213	6.4274	6.7488	444.18	466.38	489.70	514.19	539.90	965.69	1013.96	1064.66	1117.90	1173.80
3.0	5.6875	5.9719	6.2705	6.5840	6.9132	455.00	477.75	501.64	526.72	553.06	989.22	1038.68	1090.62	1145.14	1202.41
3.5	5.8298	6.1213	6.4274	6.7488	7.0862	466.38	489.70	514.19	539.90	566.90	1013.96	1064.66	1117.90	1173.80	1232.50
4.0	5.9719	6.2705	6.5840	6.9132	7.2589	477.75	501.64	526.72	553.06	580.71	1038.68	1090.62	1145.14	1202.41	1262.52
4.5	6.1213	6.4274	6.7488	7.0862	7.4405	489.70	514.19	539.90	566.90	595.24	1064.66	1117.90	1173.80	1232.50	1294.11
5.0	6.2705	6.5840	6.9132	7.2589	7.6218	501.64	526.72	553.06	580.71	609.74	1090.62	1145.14	1202.41	1262.52	1325.64
5.5	6.4274	6.7488	7.0862	7.4405	7.8125	514.19	539.90	566.90	595.24	625.00	1117.90	1173.80	1232.50	1294.11	1358.81
6.0	6.5840	6.9132	7.2589	7.6218	8.0029	526.72	553.06	580.71	609.74	640.23	1145.14	1202.41	1262.52	1325.64	1391.92
6.5	6.7488	7.0862	7.4405	7.8125	8.2031	539.90	566.90	595.24	625.00	656.25	1173.80	1232.50	1294.11	1358.81	1426.75
7.0	6.9132	7.2589	7.6218	8.0029	8.4030	553.06	580.71	609.74	640.23	672.24	1202.41	1262.52	1325.64	1391.92	1461.52
7.5	7.0862	7.4405	7.8125	8.2031	8.6133	566.90	595.24	625.00	656.25	689.06	1232.50	1294.11	1358.81	1426.75	1498.09
8.0	7.2589	7.6218	8.0029	8.4030	8.8232	580.71	609.74	640.23	672.24	705.86	1262.52	1325.64	1391.92	1461.52	1534.61
8.5	7.4405	7.8125	8.2031	8.6133	9.0440	595.24	625.00	656.25	689.06	723.52	1294.11	1358.81	1426.75	1498.09	1573.00
9.0	7.6218	8.0029	8.4030	8.8232	9.2644	609.74	640.23	672.24	705.86	741.15	1325.64	1391.92	1461.52	1534.61	1611.33
9.5	7.8125	8.2031	8.6133	9.0440	9.4962	625.00	656.25	689.06	723.52	759.70	1358.81	1426.75	1498.09	1573.00	1651.66
0.0	8.0029	8.4030	8.8232	9.2644	9.7276	640.23	672.24	705.86	741.15	778.21	1391.92	1461.52	1534.61	1611.33	1691.91
0.5	8.2031	8.6133	9.0440	9.4962	9.9710	656.25	689.06	723.52	759.70	797.68	1426.75	1498.09	1573.00	1651.66	1734.24
1.0	8.4030	8.8232	9.2644	9.7276	10.2140	672.24	705.86	741.15	778.21	817.12	1461.52	1534.61	1611.33	1691.91	1776.50
1.5	8.6133	9.0440	9.4962	9.9710	10.4696	689.06	723.52	759.70	797.68	837.57	1498.09	1573.00	1651.66	1734.24	1820.96
2.0	8.8232	9.2644	9.7276	10.2140	10.7247	705.86	741.15	778.21	817.12	857.98	1534.61	1611.33	1691.91	1776.50	1865.33
2.5	9.0440	9.4962	9.9710	10.4696	10.9931	723.52	759.70	797.68	837.57	879.45	1573.00	1651.66	1734.24	1820.96	1912.01
3.0	9.2644	9.7276	10.2140	10.7247	11.2609	741.15	778.21	817.12	857.98	900.87	1611.33	1691.91	1776.50	1865.33	1958.58
3.5	9.4962	9.9710	10.4696	10.9931	11.5428	759.70	797.68	837.57	879.45	923.42	1651.66	1734.24	1820.96	1912.01	2007.61

Exhibit "A-2"

IE'ULE -2
SCELLANEOUS
'LOYEE'S
INAL)

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 10/06/81
BI-WEEKLY

	HOURLY					MONTHLY				
NGE	A	B	C	D	E	A	B	C	D	E
4.0	9.7276	10.2140	10.7247	11.2609	11.8239	778.21	817.12	857.98	900.87	945.91	1691.91	1776.50	1865.33	1958.58	2056.50
4.5	9.9710	10.4696	10.9931	11.5428	12.1199	797.68	837.57	879.45	923.42	969.59	1734.24	1820.96	1912.01	2007.61	2107.99
5.0	10.2140	10.7247	11.2609	11.8239	12.4151	817.12	857.98	900.87	945.91	993.21	1776.50	1865.33	1958.58	2056.50	2159.34
5.5	10.4696	10.9931	11.5428	12.1199	12.7259	837.57	879.45	923.42	969.59	1018.07	1820.96	1912.01	2007.61	2107.99	2213.39
6.0	10.7247	11.2609	11.8239	12.4151	13.0359	857.98	900.87	945.91	993.21	1042.87	1865.33	1958.58	2056.50	2159.34	2267.30
6.5	10.9931	11.5428	12.1199	12.7259	13.3622	879.45	923.42	969.59	1018.07	1068.98	1912.01	2007.61	2107.99	2213.39	2324.07
7.0	11.2609	11.8239	12.4151	13.0359	13.6877	900.87	945.91	993.21	1042.87	1095.02	1958.58	2056.50	2159.34	2267.30	2380.68
7.5	11.5428	12.1199	12.7259	13.3622	14.0303	923.42	969.59	1018.07	1068.98	1122.42	2007.61	2107.99	2213.39	2324.07	2440.25
8.0	11.8239	12.4151	13.0359	13.6877	14.3721	945.91	993.21	1042.87	1095.02	1149.77	2056.50	2159.34	2267.30	2380.68	2499.71
8.5	12.1199	12.7259	13.3622	14.0303	14.7318	969.59	1018.07	1068.98	1122.42	1178.54	2107.99	2213.39	2324.07	2440.25	2562.26
9.0	12.4151	13.0359	13.6877	14.3721	15.0907	993.21	1042.87	1095.02	1149.77	1207.26	2159.34	2267.30	2380.68	2499.71	2624.70
9.5	12.7259	13.3622	14.0303	14.7318	15.4684	1018.07	1068.98	1122.42	1178.54	1237.47	2213.39	2324.07	2440.25	2562.26	2690.38
0.0	13.0359	13.6877	14.3721	15.0907	15.8452	1042.87	1095.02	1149.77	1207.26	1267.62	2267.30	2380.68	2499.71	2624.70	2755.93
0.5	13.3622	14.0303	14.7318	15.4684	16.2418	1068.98	1122.42	1178.54	1237.47	1299.34	2324.07	2440.25	2562.26	2690.38	2824.90

ICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
UAL BI-WEEKLY SALARY=HOURLY RATE X 80
THLY SALARY = BI-WKLY RATE X 2.1741

HEDULE B-2
RE ICHTERS

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 10/06/81

INAL	HOURLY					BI-WEEKLY					MONTHLY				
NGE	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E
.0-C	7.0387	7.3906	7.7601	8.1481	8.5555	788.33	827.75	869.13	912.59	958.22	1713.91	1799.61	1889.58	1984.06	2083.27
.5-C	7.2148	7.5755	7.9543	8.3520	8.7696	808.06	848.46	890.88	935.42	982.20	1756.83	1844.64	1936.86	2033.70	2135.40
.0-C	7.3906	7.7601	8.1481	8.5555	8.9833	827.75	869.13	912.59	958.22	1006.13	1799.61	1889.58	1984.06	2083.27	2187.43
.5-C	7.5755	7.9543	8.3520	8.7696	9.2081	848.46	890.88	935.42	982.20	1031.31	1844.64	1936.86	2033.70	2135.40	2242.17
.0-C	7.7601	8.1481	8.5555	8.9833	9.4325	869.13	912.59	958.22	1006.13	1056.44	1889.58	1984.06	2083.27	2187.43	2296.81
.5-C	7.9543	8.3520	8.7696	9.2081	9.6685	890.88	935.42	982.20	1031.31	1082.87	1936.86	2033.70	2135.40	2242.17	2354.27
.0-C	8.1481	8.5555	8.9833	9.4325	9.9041	912.59	958.22	1006.13	1056.44	1109.26	1984.06	2083.27	2187.43	2296.81	2411.64
.5-C	8.3520	8.7696	9.2081	9.6685	10.1519	935.42	982.20	1031.31	1082.87	1137.01	2033.70	2135.40	2242.17	2354.27	2471.97
.0-C	8.5555	8.9833	9.4325	9.9041	10.3993	958.22	1006.13	1056.44	1109.26	1164.72	2083.27	2187.43	2296.81	2411.64	2532.22
.5-C	8.7696	9.2081	9.6685	10.1519	10.6595	982.20	1031.31	1082.87	1137.01	1193.86	2135.40	2242.17	2354.27	2471.97	2595.57

FICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
LAL BI-WEEKLY SALARY=HOURLY RATE X 112
NTHLY SALARY = BI-WKLY RATE X 2.1741

Exhibit "B-2"

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 10/06/81

HOURLY

RANGE	A	B	C	D	E
0.010-0508	10.5533	11.0810	11.6351	12.2169	
1.010-5533	11.0810	11.6351	12.2169	12.8277	
2.011-0810	11.6351	12.2169	12.8277	13.4691	
3.011-6351	12.2169	12.8277	13.4691	14.1426	

T
9.057

BI-WEEKLY

	A	B	C	D	E
	804.06	844.26	886.48	930.81	977.35
	844.26	886.48	930.81	977.35	1026.22
	886.48	930.81	977.35	1026.22	1077.53
	930.81	977.35	1026.22	1077.53	1131.41

T
723.64

MONTHLY

	A	B	C	D	E
	1748.11	1835.51	1927.30	2023.67	2124.85
	1835.51	1927.30	2023.67	2124.86	2231.10
	1927.30	2023.67	2124.86	2231.10	2342.66
	2023.67	2124.86	2231.10	2342.66	2459.80

T
1573.31

raining Step

FICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
UAL BI-WEEKLY SALARY=HOURLY RATE X 80
NTHLY SALARY = BI-WKLY RATE x 2.1741

Exhibit "C-2"

~~TABLE~~ D-2
ASSTFTED MANAGEMNT
D CONF. EMPLOYEES
INAL)

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 10/06/81
BI-WEEKLY

	HOURLY					BI-WEEKLY					MONTHLY				
NGE	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E
0.0	4.9133	5.1590	5.4170	5.6879	5.9723	393.06	412.72	433.36	455.03	477.78	854.55	897.29	942.17	989.28	1038.74
0.5	5.0361	5.2879	5.5523	5.8299	6.1214	402.89	423.03	444.18	466.39	489.71	875.92	919.71	965.69	1013.98	1064.68
1.0	5.1590	5.4170	5.6879	5.9723	6.2709	412.72	433.36	455.03	477.78	501.67	897.29	942.17	989.28	1038.74	1090.68
1.5	5.2879	5.5523	5.8299	6.1214	6.4275	423.03	444.18	466.39	489.71	514.20	919.71	965.69	1013.98	1064.68	1117.92
2.0	5.4170	5.6879	5.9723	6.2709	6.5844	433.36	455.03	477.78	501.67	526.75	942.17	989.28	1038.74	1090.68	1145.21
2.5	5.5523	5.8299	6.1214	6.4275	6.7489	444.18	466.39	489.71	514.20	539.91	965.69	1013.98	1064.68	1117.92	1173.82
3.0	5.6879	5.9723	6.2709	6.5844	6.9136	455.03	477.78	501.67	526.75	553.09	989.28	1038.74	1090.68	1145.21	1202.47
3.5	5.8299	6.1214	6.4275	6.7489	7.0863	466.39	489.71	514.20	539.91	566.90	1013.98	1064.68	1117.92	1173.82	1232.50
4.0	5.9723	6.2709	6.5844	6.9136	7.2593	477.78	501.67	526.75	553.09	580.74	1038.74	1090.68	1145.21	1202.47	1262.59
4.5	6.1214	6.4275	6.7489	7.0863	7.4406	489.71	514.20	539.91	566.90	595.25	1064.68	1117.92	1173.82	1232.50	1294.13
5.0	6.2709	6.5844	6.9136	7.2593	7.6223	501.67	526.75	553.09	580.74	609.78	1090.68	1145.21	1202.47	1262.59	1325.72
5.5	6.4275	6.7489	7.0863	7.4406	7.8126	514.20	539.91	566.90	595.25	625.01	1117.92	1173.82	1232.50	1294.13	1358.83
6.0	6.5844	6.9136	7.2593	7.6223	8.0034	526.75	553.09	580.74	609.78	640.27	1145.21	1202.47	1262.59	1325.72	1392.01
6.5	6.7489	7.0863	7.4406	7.8126	8.2032	539.91	566.90	595.25	625.01	656.26	1173.82	1232.50	1294.13	1358.83	1426.77
7.0	6.9136	7.2593	7.6223	8.0034	8.4036	553.09	580.74	609.78	640.27	672.29	1202.47	1262.59	1325.72	1392.01	1461.63
7.5	7.0863	7.4406	7.8126	8.2032	8.6134	566.90	595.25	625.01	656.26	689.07	1232.50	1294.13	1358.83	1426.77	1498.11
8.0	7.2593	7.6223	8.0034	8.4036	8.8238	580.74	609.78	640.27	672.29	705.90	1262.59	1325.72	1392.01	1461.63	1534.70
8.5	7.4406	7.8126	8.2032	8.6134	9.0441	595.25	625.01	656.26	689.07	723.53	1294.13	1358.83	1426.77	1498.11	1573.03
9.0	7.6223	8.0034	8.4036	8.8238	9.2650	609.78	640.27	672.29	705.90	741.20	1325.72	1392.01	1461.63	1534.70	1611.44
9.5	7.8126	8.2032	8.6134	9.0441	9.4963	625.01	656.26	689.07	723.53	759.70	1358.83	1426.77	1498.11	1573.03	1651.66
0.0	8.0034	8.4036	8.8238	9.2650	9.7283	640.27	672.29	705.90	741.20	778.26	1392.01	1461.63	1534.70	1611.44	1692.02
0.5	8.2032	8.6134	9.0441	9.4963	9.9711	656.26	689.07	723.53	759.70	797.69	1426.77	1498.11	1573.03	1651.66	1734.26
1.0	8.4036	8.8238	9.2650	9.7283	10.2147	672.29	705.90	741.20	778.26	817.18	1461.63	1534.70	1611.44	1692.02	1776.63
1.5	8.6134	9.0441	9.4963	9.9711	10.4697	689.07	723.53	759.70	797.69	837.58	1498.11	1573.03	1651.66	1734.26	1820.98
2.0	8.8238	9.2650	9.7283	10.2147	10.7254	705.90	741.20	778.26	817.18	858.03	1534.70	1611.44	1692.02	1776.63	1865.44
2.5	9.0441	9.4963	9.9711	10.4697	10.9932	723.53	759.70	797.69	837.58	879.46	1573.03	1651.66	1734.26	1820.98	1912.03
3.0	9.2650	9.7283	10.2147	10.7254	11.2617	741.20	778.26	817.18	858.03	900.94	1611.44	1692.02	1776.63	1865.44	1958.73
3.5	9.4963	9.9711	10.4697	10.9932	11.5429	759.70	797.69	837.58	879.46	923.43	1651.66	1734.26	1820.98	1912.03	2007.63
4.0	9.7283	10.2147	10.7254	11.2617	11.8248	778.26	817.18	858.03	900.94	945.98	1692.02	1776.63	1865.44	1958.73	2056.66
4.5	9.9711	10.4697	10.9932	11.5429	12.1200	797.69	837.58	879.46	923.43	969.60	1734.26	1820.98	1912.03	2007.63	2108.01
5.0	10.2147	10.7254	11.2617	11.8248	12.4160	817.18	858.03	900.94	945.98	993.28	1776.63	1865.44	1958.73	2056.66	2159.49
5.5	10.4697	10.9932	11.5429	12.1200	12.7260	837.58	879.46	923.43	969.60	1018.08	1820.98	1912.03	2007.63	2108.01	2213.41
6.0	10.7254	11.2617	11.8248	12.4160	13.0368	858.03	900.94	945.98	993.28	1042.94	1865.44	1958.73	2056.66	2159.49	2267.46
6.5	10.9932	11.5429	12.1200	12.7260	13.3623	879.46	923.43	969.60	1018.08	1068.98	1912.03	2007.63	2108.01	2213.41	2324.07
7.0	11.2617	11.8248	12.4160	13.0368	13.6886	900.94	945.98	993.28	1042.94	1095.09	1958.73	2056.66	2159.49	2267.46	2380.84
7.5	11.5429	12.1200	12.7260	13.3623	14.0304	923.43	969.60	1018.08	1068.98	1122.43	2007.63	2108.01	2213.41	2324.07	2440.28
8.0	11.8248	12.4160	13.0368	13.6886	14.3730	945.98	993.28	1042.94	1095.09	1149.84	2056.66	2159.49	2267.46	2380.84	2499.87

Exhibit "D-2"

EDULE 9-2
SSIFIED MANAGEMNT
CONF. EMPLOYEES

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 10/06/81

NAL)

HOURLY

BI-WEEKLY

MONTHLY

GE	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E
	12.1200	12.7260	13.3623	14.0304	14.7319	969.60	1018.08	1068.98	1122.43	1178.55	2108.01	2213.41	2324.07	2440.28	2562.29
	12.4160	13.0368	13.6886	14.3730	15.0917	993.28	1042.94	1095.09	1149.84	1207.34	2159.49	2267.46	2380.84	2499.87	2624.88
	12.7260	13.3623	14.0304	14.7319	15.4685	1018.08	1068.98	1122.43	1178.55	1237.48	2213.41	2324.07	2440.28	2562.29	2690.41
	13.0368	13.6886	14.3730	15.0917	15.8463	1042.94	1095.09	1149.84	1207.34	1267.70	2267.46	2380.84	2499.87	2624.88	2756.11
	13.3623	14.0304	14.7319	15.4685	16.2419	1068.98	1122.43	1178.55	1237.48	1299.35	2324.07	2440.28	2562.29	2690.41	2824.92
	13.6886	14.3730	15.0917	15.8463	16.6386	1095.09	1149.84	1207.34	1267.70	1331.09	2380.84	2499.87	2624.88	2756.11	2893.92
	14.0304	14.7319	15.4685	16.2419	17.0540	1122.43	1178.55	1237.48	1299.35	1364.32	2440.28	2562.29	2690.41	2824.92	2966.17
	14.3730	15.0917	15.8463	16.6386	17.4705	1149.84	1207.34	1267.70	1331.09	1397.64	2499.87	2624.88	2756.11	2893.92	3038.61
	14.7319	15.4685	16.2419	17.0540	17.9067	1178.55	1237.48	1299.35	1364.32	1432.54	2562.29	2690.41	2824.92	2966.17	3114.49
	15.0917	15.8463	16.6386	17.4705	18.3440	1207.34	1267.70	1331.09	1397.64	1467.52	2624.88	2756.11	2893.92	3038.61	3190.54
	15.4685	16.2419	17.0540	17.9067	18.8020	1237.48	1299.35	1364.32	1432.54	1504.16	2690.41	2824.92	2966.17	3114.49	3270.19
	15.8463	16.6386	17.4705	18.3440	19.2612	1267.70	1331.09	1397.64	1467.52	1540.90	2756.11	2893.92	3038.61	3190.54	3350.07
	16.2419	17.0540	17.9067	18.8020	19.7421	1299.35	1364.32	1432.54	1504.16	1579.37	2824.92	2966.17	3114.49	3270.19	3433.71
	16.6386	17.4705	18.3440	19.2612	20.2243	1331.09	1397.64	1467.52	1540.90	1617.94	2893.92	3038.61	3190.54	3350.07	3517.56
	17.0540	17.9067	18.8020	19.7421	20.7292	1364.32	1432.54	1504.16	1579.37	1658.34	2966.17	3114.49	3270.19	3433.71	3605.40
	17.4705	18.3440	19.2612	20.2243	21.2355	1397.64	1467.52	1540.90	1617.94	1698.84	3038.61	3190.54	3350.07	3517.56	3693.45
	17.9067	18.8020	19.7421	20.7292	21.7657	1432.54	1504.16	1579.37	1658.34	1741.26	3114.49	3270.19	3433.71	3605.40	3785.67
	18.3440	19.2612	20.2243	21.2355	22.2973	1467.52	1540.90	1617.94	1698.84	1783.78	3190.54	3350.07	3517.56	3693.45	3878.12
	18.8020	19.7421	20.7292	21.7657	22.8540	1504.16	1579.37	1658.34	1741.26	1828.32	3270.19	3433.71	3605.40	3785.67	3974.95
	19.2612	20.2243	21.2355	22.2973	23.4122	1540.90	1617.94	1698.84	1783.78	1872.98	3350.07	3517.56	3693.45	3878.12	4072.05
	19.7421	20.7292	21.7657	22.8540	23.9967	1579.37	1658.34	1741.26	1828.32	1919.74	3433.71	3605.40	3785.67	3974.95	4173.71
	20.2243	21.2355	22.2973	23.4122	24.5828	1617.94	1698.84	1783.78	1872.98	1966.62	3517.56	3693.45	3878.12	4072.05	4275.63
	20.7292	21.7657	22.8540	23.9967	25.1965	1658.34	1741.26	1828.32	1919.74	2015.72	3605.40	3785.67	3974.95	4173.71	4382.38
	21.2355	22.2973	23.4122	24.5828	25.8119	1698.84	1783.78	1872.98	1966.62	2064.95	3693.45	3878.12	4072.05	4275.63	4489.41
	21.7657	22.8540	23.9967	25.1965	26.4563	1741.26	1828.32	1919.74	2015.72	2116.50	3785.67	3974.95	4173.71	4382.38	4601.48
	13.1949	13.8546	14.5473	15.2747	16.0384	1055.59	1108.37	1163.78	1221.98	1283.07	2294.96	2409.71	2530.17	2656.71	2789.52
	13.8546	14.5473	15.2747	16.0384	16.8403	1108.37	1163.78	1221.98	1283.07	1347.22	2409.71	2530.17	2656.71	2789.52	2928.99
	14.5473	15.2747	16.0384	16.8403	17.6823	1163.78	1221.98	1283.07	1347.22	1414.58	2530.17	2656.71	2789.52	2928.99	3075.44
	12.6530	12.2357	12.8475	13.4899	14.1644	932.24	978.86	1027.80	1079.19	1133.15	2026.78	2128.14	2234.54	2346.27	2463.58
	12.9443	12.5415	13.1686	13.8270	14.5184	955.54	1003.32	1053.49	1106.16	1161.47	2077.44	2181.32	2290.39	2404.90	2525.15
	13.2357	12.8475	13.4899	14.1644	14.8726	978.86	1027.80	1079.19	1133.15	1189.81	2128.14	2234.54	2346.27	2463.58	2586.77
	13.5415	13.1686	13.8270	14.5184	15.2443	1003.32	1053.49	1106.16	1161.47	1219.54	2181.32	2290.39	2404.90	2525.15	2651.40
	13.8475	13.4899	14.1644	14.8726	15.6162	1027.80	1079.19	1133.15	1189.81	1249.30	2234.54	2346.27	2463.58	2586.77	2716.10
	13.1686	13.8270	14.5184	15.2443	16.0065	1053.49	1106.16	1161.47	1219.54	1280.52	2290.39	2404.90	2525.15	2651.40	2783.98
	13.4899	14.1644	14.8726	15.6162	16.3970	1079.19	1133.15	1189.81	1249.30	1311.76	2346.27	2463.58	2586.77	2716.10	2851.90
	13.8270	14.5184	15.2443	16.0065	16.8068	1106.16	1161.47	1219.54	1280.52	1344.54	2404.90	2525.15	2651.40	2783.98	2923.15
	14.1644	14.8726	15.6162	16.3970	17.2169	1133.15	1189.81	1249.30	1311.76	1377.35	2463.58	2586.77	2716.10	2851.90	2994.50
	14.5184	15.2443	16.0065	16.8068	17.6471	1161.47	1219.54	1280.52	1344.54	1411.77	2525.15	2651.40	2783.98	2923.16	3069.33

EDULE D-2
ASSIFIED MANAGEMNT
D CONF. EMPLOYEES
INAL)

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 10/06/81

	HOURLY					BI-WEEKLY					MONTHLY				
NGE	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E
12	14.8726	15.6162	16.3970	17.2169	18.0777	1189.81	1249.30	1311.76	1377.35	1446.22	2586.77	2716.10	2851.90	2994.50	3144.23
12	15.2443	16.0065	16.8068	17.6471	18.5295	1219.54	1280.52	1344.54	1411.77	1482.36	2651.40	2783.98	2923.16	3069.33	3222.80
13	15.6162	16.3970	17.2169	18.0777	18.9816	1249.30	1311.76	1377.35	1446.22	1518.53	2716.10	2851.90	2994.50	3144.23	3301.44
13	16.0065	16.8068	17.6471	18.5295	19.4560	1280.52	1344.54	1411.77	1482.36	1556.48	2783.98	2923.16	3069.33	3222.80	3383.94

FICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
QUAL BI-WEEKLY SALARY=HOURLY RATE X 80
NTHLY SALARY = BI-WKLY RATE X 2.1741

Schedule E-2
Unclassified Management and
Council Appointees

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
Effective October 6, 1981

Council Appointed	Rate	A	B	C	D	E
City Manager	Hourly					30.1838
	Biweekly					2,414.70
	Monthly					5,249.80
City Attorney	Hourly					25.6787
	Biweekly					2,054.30
	Monthly					4,466.25
City Clerk and Auditor	Hourly	14.0949	14.7998	15.5397	16.3167	17.1326
	Biweekly	1,127.59	1,183.98	1,243.18	1,305.34	1,370.61
	Monthly	2,451.49	2,574.09	2,702.80	2,837.94	2,979.84
Unclassified Management						
Director of Finance	Hourly	17.9012	18.7962	19.7359	20.7228	21.7590
	Biweekly	1,432.10	1,503.70	1,578.87	1,657.82	1,740.72
	Monthly	3,113.53	3,269.19	3,432.62	3,604.27	3,784.50
Director of Management Services	Hourly	17.9012	18.7962	19.7359	20.7228	21.7590
	Biweekly	1,432.10	1,503.70	1,578.87	1,657.82	1,740.72
	Monthly	3,113.53	3,269.19	3,432.62	3,604.27	3,784.50
Director of Parking and Traffic	Hourly	17.9012	18.7962	19.7359	20.7228	21.7590
	Biweekly	1,432.10	1,503.70	1,578.87	1,657.82	1,740.72
	Monthly	3,113.53	3,269.19	3,432.62	3,604.27	3,784.50
Director of Parks and Recreation	Hourly	18.3500	19.2675	20.2308	21.2423	22.3044
	Biweekly	1,468.00	1,541.40	1,618.46	1,699.38	1,784.35
	Monthly	3,191.58	3,351.16	3,518.69	3,694.62	3,879.36
Director of Planning and Community Development	Hourly	17.9012	18.7962	19.7359	20.7228	21.7590
	Biweekly	1,432.10	1,503.70	1,578.87	1,657.82	1,740.72
	Monthly	3,113.53	3,269.19	3,432.62	3,604.27	3,784.50
Director of Public Works and City Engineer	Hourly	21.1259	22.1822	23.2914	24.4559	25.6787
	Biweekly	1,690.07	1,774.58	1,863.31	1,956.47	2,054.30
	Monthly	3,674.38	3,858.11	4,051.02	4,253.56	4,466.25
Fire Chief	Hourly	17.9012	18.7962	19.7359	20.7228	21.7590
	Biweekly	1,432.10	1,503.70	1,578.87	1,657.82	1,740.72
	Monthly	3,113.53	3,269.19	3,432.62	3,604.27	3,784.50
Chief of Police	Hourly	19.5280	20.5044	21.5296	22.6061	23.7364
	Biweekly	1,562.24	1,640.35	1,722.37	1,808.49	1,898.91
	Monthly	3,396.47	3,566.28	3,744.60	3,931.84	4,128.42

Exhibit "E-2"

HEDULE A-3
SCELLANEOUS
PLOYEES
INAL)

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 12/29/81
BI-WEEKLY

NGE	HOURLY A	B	C	D	E	BI-WEEKLY A	B	C	D	E	MONTHLY A	B	C	D	E
5.5	3.9459	4.1431	4.3503	4.5678	4.7962	315.66	331.45	348.02	365.42	383.70	686.28	720.61	756.63	794.46	834.20
6.0	4.0420	4.2441	4.4563	4.6791	4.9131	323.36	339.53	356.50	374.33	393.05	703.02	738.17	775.07	813.83	854.53
6.5	4.1431	4.3503	4.5678	4.7962	5.0360	331.45	348.02	365.42	383.70	402.88	720.61	756.63	794.46	834.20	875.90
17.0	4.2441	4.4563	4.6791	4.9131	5.1588	339.53	356.50	374.33	393.05	412.70	738.17	775.07	813.83	854.53	897.25
17.5	4.3503	4.5678	4.7962	5.0360	5.2878	348.02	365.42	383.70	402.88	423.02	756.63	794.46	834.20	875.90	919.69
18.0	4.4563	4.6791	4.9131	5.1588	5.4167	356.50	374.33	393.05	412.70	433.34	775.07	813.83	854.53	897.25	942.12
18.5	4.5678	4.7962	5.0360	5.2878	5.5522	365.42	383.70	402.88	423.02	444.18	794.46	834.20	875.90	919.69	965.69
19.0	4.6791	4.9131	5.1588	5.4167	5.6875	374.33	393.05	412.70	433.34	455.00	813.83	854.53	897.25	942.12	989.22
19.5	4.7962	5.0360	5.2878	5.5522	5.8298	383.70	402.88	423.02	444.18	466.38	834.20	875.90	919.69	965.69	1013.96
20.0	4.9131	5.1588	5.4167	5.6875	5.9719	393.05	412.70	433.34	455.00	477.75	854.53	897.25	942.12	989.22	1038.68
20.5	5.0360	5.2878	5.5522	5.8298	6.1213	402.88	423.02	444.18	466.38	489.70	875.90	919.69	965.69	1013.96	1064.66
21.0	5.1588	5.4167	5.6875	5.9719	6.2705	412.70	433.34	455.00	477.75	501.64	897.25	942.12	989.22	1038.68	1090.62
21.5	5.2878	5.5522	5.8298	6.1213	6.4274	423.02	444.18	466.38	489.70	514.19	919.69	965.69	1013.96	1064.66	1117.90
22.0	5.4167	5.6875	5.9719	6.2705	6.5840	433.34	455.00	477.75	501.64	526.72	942.12	989.22	1038.68	1090.62	1145.14
22.5	5.5522	5.8298	6.1213	6.4274	6.7488	444.18	466.38	489.70	514.19	539.90	965.69	1013.96	1064.66	1117.90	1173.80
23.0	5.6875	5.9719	6.2705	6.5840	6.9132	455.00	477.75	501.64	526.72	553.06	989.22	1038.68	1090.62	1145.14	1202.41
23.5	5.8298	6.1213	6.4274	6.7488	7.0862	466.38	489.70	514.19	539.90	566.90	1013.96	1064.66	1117.90	1173.80	1232.50
24.0	5.9719	6.2705	6.5840	6.9132	7.2589	477.75	501.64	526.72	553.06	580.71	1038.68	1090.62	1145.14	1202.41	1262.52
24.5	6.1213	6.4274	6.7488	7.0862	7.4405	489.70	514.19	539.90	566.90	595.24	1064.66	1117.90	1173.80	1232.50	1294.11
25.0	6.2705	6.5840	6.9132	7.2589	7.6218	501.64	526.72	553.06	580.71	609.74	1090.62	1145.14	1202.41	1262.52	1325.64
25.5	6.4274	6.7488	7.0862	7.4405	7.8125	514.19	539.90	566.90	595.24	625.00	1117.90	1173.80	1232.50	1294.11	1358.81
26.0	6.5840	6.9132	7.2589	7.6218	8.0029	526.72	553.06	580.71	609.74	640.23	1145.14	1202.41	1262.52	1325.64	1391.92
26.5	6.7488	7.0862	7.4405	7.8125	8.2031	539.90	566.90	595.24	625.00	656.25	1173.80	1232.50	1294.11	1358.81	1426.75
27.0	6.9132	7.2589	7.6218	8.0029	8.4030	553.06	580.71	609.74	640.23	672.24	1202.41	1262.52	1325.64	1391.92	1461.52
27.5	7.0862	7.4405	7.8125	8.2031	8.6133	566.90	595.24	625.00	656.25	689.06	1232.50	1294.11	1358.81	1426.75	1498.09
28.0	7.2589	7.6218	8.0029	8.4030	8.8232	580.71	609.74	640.23	672.24	705.86	1262.52	1325.64	1391.92	1461.52	1534.61
28.5	7.4405	7.8125	8.2031	8.6133	9.0440	595.24	625.00	656.25	689.06	723.52	1294.11	1358.81	1426.75	1498.09	1573.00
29.0	7.6218	8.0029	8.4030	8.8232	9.2644	609.74	640.23	672.24	705.86	741.15	1325.64	1391.92	1461.52	1534.61	1611.33
29.5	7.8125	8.2031	8.6133	9.0440	9.4962	625.00	656.25	689.06	723.52	759.70	1358.81	1426.75	1498.09	1573.00	1651.66
30.0	8.0029	8.4030	8.8232	9.2644	9.7276	640.23	672.24	705.86	741.15	778.21	1391.92	1461.52	1534.61	1611.33	1691.91
30.5	8.2031	8.6133	9.0440	9.4962	9.9710	656.25	689.06	723.52	759.70	797.68	1426.75	1498.09	1573.00	1651.66	1734.24
31.0	8.4030	8.8232	9.2644	9.7276	10.2140	672.24	705.86	741.15	778.21	817.12	1461.52	1534.61	1611.33	1691.91	1776.50
31.5	8.6133	9.0440	9.4962	9.9710	10.4696	689.06	723.52	759.70	797.68	837.57	1498.09	1573.00	1651.66	1734.24	1820.96
32.0	8.8232	9.2644	9.7276	10.2140	10.7247	705.86	741.15	778.21	817.12	857.98	1534.61	1611.33	1691.91	1776.50	1865.33
32.5	9.0440	9.4962	9.9710	10.4696	10.9931	723.52	759.70	797.68	837.57	879.45	1573.00	1651.66	1734.24	1820.96	1912.01
33.0	9.2644	9.7276	10.2140	10.7247	11.2609	741.15	778.21	817.12	857.98	900.87	1611.33	1691.91	1776.50	1865.33	1958.58
33.5	9.4962	9.9710	10.4696	10.9931	11.5428	759.70	797.68	837.57	879.45	923.42	1651.66	1734.24	1820.96	1912.01	2007.61

Exhibit "A-3"

HEDULE A-3
SCELLANEOUS
PLOYEES
INAL)

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 12/29/81

	HOURLY					BI-WEEKLY					MONTHLY				
NGE	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E
4.0	9.7276	10.2140	10.7247	11.2609	11.8239	778.21	817.12	857.98	900.87	945.91	1691.91	1776.50	1865.33	1958.58	2056.50
4.5	9.9710	10.4696	10.9931	11.5428	12.1199	797.68	837.57	879.45	923.42	969.59	1734.24	1820.96	1912.01	2007.61	2107.99
5.0	10.2140	10.7247	11.2609	11.8239	12.4151	817.12	857.98	900.87	945.91	993.21	1776.50	1865.33	1958.58	2056.50	2159.34
5.5	10.4696	10.9931	11.5428	12.1199	12.7259	837.57	879.45	923.42	969.59	1018.07	1820.96	1912.01	2007.61	2107.99	2213.39
6.0	10.7247	11.2609	11.8239	12.4151	13.0359	857.98	900.87	945.91	993.21	1042.87	1865.33	1958.58	2056.50	2159.34	2267.30
6.5	10.9931	11.5428	12.1199	12.7259	13.3622	879.45	923.42	969.59	1018.07	1068.98	1912.01	2007.61	2107.99	2213.39	2324.07
7.0	11.2609	11.8239	12.4151	13.0359	13.6877	900.87	945.91	993.21	1042.87	1095.02	1958.58	2056.50	2159.34	2267.30	2380.68
7.5	11.5428	12.1199	12.7259	13.3622	14.0303	923.42	969.59	1018.07	1068.98	1122.42	2007.61	2107.99	2213.39	2324.07	2440.25
8.0	11.8239	12.4151	13.0359	13.6877	14.3721	945.91	993.21	1042.87	1095.02	1149.77	2056.50	2159.34	2267.30	2380.68	2499.71
8.5	12.1199	12.7259	13.3622	14.0303	14.7318	969.59	1018.07	1068.98	1122.42	1178.54	2107.99	2213.39	2324.07	2440.25	2562.26
9.0	12.4151	13.0359	13.6877	14.3721	15.0907	993.21	1042.87	1095.02	1149.77	1207.26	2159.34	2267.30	2380.68	2499.71	2624.70
9.5	12.7259	13.3622	14.0303	14.7318	15.4684	1018.07	1068.98	1122.42	1178.54	1237.47	2213.39	2324.07	2440.25	2562.26	2690.38
10.0	13.0359	13.6877	14.3721	15.0907	15.8452	1042.87	1095.02	1149.77	1207.26	1267.62	2267.30	2380.68	2499.71	2624.70	2755.93
10.5	13.3622	14.0303	14.7318	15.4684	16.2418	1068.98	1122.42	1178.54	1237.47	1299.34	2324.07	2440.25	2562.26	2690.38	2824.90

FICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
UAL BI-WEEKLY SALARY=HOURLY RATE X 80
NTHLY SALARY = BI-WKLY RATE X 2.1741

SCHEDULE B-3
FIREFIGHTERS

(FINAL)

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 12/29/81

RANGE	HOURLY A	B	C	D	E	BI-WEEKLY A	B	C	D	E	MONTHLY A	B	C	D	E
210.0	7.0387	7.3906	7.7601	8.1481	8.5555	788.33	827.75	869.13	912.59	958.22	1713.91	1799.61	1889.58	1984.06	2083.27
210.5	7.2148	7.5755	7.9543	8.3520	8.7696	808.06	848.46	890.88	935.42	982.20	1756.80	1844.64	1936.86	2033.70	2135.40
211.0	7.3906	7.7601	8.1481	8.5555	8.9833	827.75	869.13	912.59	958.22	1006.13	1799.61	1889.58	1984.06	2083.27	2187.43
211.5	7.5755	7.9543	8.3520	8.7696	9.2081	848.46	890.88	935.42	982.20	1031.31	1844.64	1936.86	2033.70	2135.40	2242.17
212.0	7.7601	8.1481	8.5555	8.9833	9.4325	869.13	912.59	958.22	1006.13	1056.44	1889.58	1984.06	2083.27	2187.43	2296.81
212.5	7.9543	8.3520	8.7696	9.2081	9.6685	890.88	935.42	982.20	1031.31	1082.87	1936.86	2033.70	2135.40	2242.17	2354.27
213.0	8.1481	8.5555	8.9833	9.4325	9.9041	912.59	958.22	1006.13	1056.44	1109.26	1984.06	2083.27	2187.43	2296.81	2411.64
213.5	8.3520	8.7696	9.2081	9.6685	10.1519	935.42	982.20	1031.31	1082.87	1137.01	2033.70	2135.40	2242.17	2354.27	2471.97
214.0	8.5555	8.9833	9.4325	9.9041	10.3993	958.22	1006.13	1056.44	1109.26	1164.72	2083.27	2187.43	2296.81	2411.64	2532.22
214.5	8.7696	9.2081	9.6685	10.1519	10.6595	982.20	1031.31	1082.87	1137.01	1193.86	2135.40	2242.17	2354.27	2471.97	2595.57

OFFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
ACTUAL BI-WEEKLY SALARY=HOURLY RATE X 112
~~MONTHLY SALARY = BI-WKLY RATE X 2.1741~~

Exhibit "B-3"

HEDULE C-3
LICE PERSONNEL

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 12/29/81

INAL)

HOURLY

NGE	A	B	C	D	E
0.	10.2518	10.7644	11.3026	11.8677	12.4611
1.	10.7644	11.3026	11.8677	12.4611	13.0842
2.	11.3026	11.8677	12.4611	13.0842	13.7334
3.	11.8677	12.4611	13.0842	13.7384	14.4253
			T*		
5.0			9.2266		

BI-WEEKLY

	A	B	C	D	E
	820.14	861.15	904.21	949.42	996.89
	861.15	904.21	949.42	996.89	1046.74
	904.21	949.42	996.89	1046.74	1099.07
	949.42	996.89	1046.74	1099.07	1154.02
			T*		
			738.13		

MONTHLY

A	B	C	D	E
1783.07	1872.23	1965.84	2064.13	2167.34
1872.23	1965.84	2064.13	2167.34	2275.72
1965.84	2064.13	2167.34	2275.72	2389.49
2064.13	2167.34	2275.72	2389.49	2508.95
		T*		
		1604.76		

raining Step

FICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
TUAL BI-WEEKLY SALARY=HOURLY RATE X 80
NTHLY SALARY = BI-WKLY RATE X 2.1741

Exhibit "C-3"

SCHEDULE D-3
~~CLASSIFIED~~ MANAGEMNT
AND CONF. EMPLOYEES
(FINAL)

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 12/29/81

RANGE	HOURLY					BI-WEEKLY					MONTHLY				
	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E
10.0	4.9133	5.1590	5.4170	5.6879	5.9723	393.06	412.72	433.36	455.03	477.78	854.55	897.29	942.17	989.28	1038.74
10.5	5.0361	5.2879	5.5523	5.8299	6.1214	402.89	423.03	444.18	466.39	489.71	875.92	919.71	965.69	1013.98	1064.68
11.0	5.1590	5.4170	5.6879	5.9723	6.2709	412.72	433.36	455.03	477.78	501.67	897.29	942.17	989.28	1038.74	1090.68
11.5	5.2879	5.5523	5.8299	6.1214	6.4275	423.03	444.18	466.39	489.71	514.20	919.71	965.69	1013.98	1064.68	1117.92
12.0	5.4170	5.6879	5.9723	6.2709	6.5844	433.36	455.03	477.78	501.67	526.75	942.17	989.28	1038.74	1090.68	1145.21
12.5	5.5523	5.8299	6.1214	6.4275	6.7489	444.18	466.39	489.71	514.20	539.91	965.69	1013.98	1064.68	1117.92	1173.82
13.0	5.6879	5.9723	6.2709	6.5844	6.9136	455.03	477.78	501.67	526.75	553.09	989.28	1038.74	1090.68	1145.21	1202.47
13.5	5.8299	6.1214	6.4275	6.7489	7.0863	466.39	489.71	514.20	539.91	566.90	1013.98	1064.68	1117.92	1173.82	1232.50
14.0	5.9723	6.2709	6.5844	6.9136	7.2593	477.78	501.67	526.75	553.09	580.74	1038.74	1090.68	1145.21	1202.47	1262.59
14.5	6.1214	6.4275	6.7489	7.0863	7.4406	489.71	514.20	539.91	566.90	595.25	1064.68	1117.92	1173.82	1232.50	1294.13
15.0	6.2709	6.5844	6.9136	7.2593	7.6223	501.67	526.75	553.09	580.74	609.78	1090.68	1145.21	1202.47	1262.59	1325.72
15.5	6.4275	6.7489	7.0863	7.4406	7.8126	514.20	539.91	566.90	595.25	625.01	1117.92	1173.82	1232.50	1294.13	1358.83
16.0	6.5844	6.9136	7.2593	7.6223	8.0034	526.75	553.09	580.74	609.78	640.27	1145.21	1202.47	1262.59	1325.72	1392.01
16.5	6.7489	7.0863	7.4406	7.8126	8.2032	539.91	566.90	595.25	625.01	656.26	1173.82	1232.50	1294.13	1358.83	1426.77
17.0	6.9136	7.2593	7.6223	8.0034	8.4036	553.09	580.74	609.78	640.27	672.29	1202.47	1262.59	1325.72	1392.01	1461.63
17.5	7.0863	7.4406	7.8126	8.2032	8.6134	566.90	595.25	625.01	656.26	689.07	1232.50	1294.13	1358.83	1426.77	1498.11
18.0	7.2593	7.6223	8.0034	8.4036	8.8238	580.74	609.78	640.27	672.29	705.90	1262.59	1325.72	1392.01	1461.63	1534.70
18.5	7.4406	7.8126	8.2032	8.6134	9.0441	595.25	625.01	656.26	689.07	723.53	1294.13	1358.83	1426.77	1498.11	1573.03
19.0	7.6223	8.0034	8.4036	8.8238	9.2650	609.78	640.27	672.29	705.90	741.20	1325.72	1392.01	1461.63	1534.70	1611.44
19.5	7.8126	8.2032	8.6134	9.0441	9.4963	625.01	656.26	689.07	723.53	759.70	1358.83	1426.77	1498.11	1573.03	1651.66
20.0	8.0034	8.4036	8.8238	9.2650	9.7283	640.27	672.29	705.90	741.20	778.26	1392.01	1461.63	1534.70	1611.44	1692.02
20.5	8.2032	8.6134	9.0441	9.4963	9.9711	656.26	689.07	723.53	759.70	797.69	1426.77	1498.11	1573.03	1651.66	1734.26
21.0	8.4036	8.8238	9.2650	9.7283	10.2147	672.29	705.90	741.20	778.26	817.18	1461.63	1534.70	1611.44	1692.02	1776.63
21.5	8.6134	9.0441	9.4963	9.9711	10.4697	689.07	723.53	759.70	797.69	837.58	1498.11	1573.03	1651.66	1734.26	1820.98
22.0	8.8238	9.2650	9.7283	10.2147	10.7254	705.90	741.20	778.26	817.18	858.03	1534.70	1611.44	1692.02	1776.63	1865.44
22.5	9.0441	9.4963	9.9711	10.4697	10.9932	723.53	759.70	797.69	837.58	879.46	1573.03	1651.66	1734.26	1820.98	1912.03
23.0	9.2650	9.7283	10.2147	10.7254	11.2617	741.20	778.26	817.18	858.03	900.94	1611.44	1692.02	1776.63	1865.44	1958.73
23.5	9.4963	9.9711	10.4697	10.9932	11.5429	759.70	797.69	837.58	879.46	923.43	1651.66	1734.26	1820.98	1912.03	2007.63
24.0	9.7283	10.2147	10.7254	11.2617	11.8248	778.26	817.18	858.03	900.94	945.98	1692.02	1776.63	1865.44	1958.73	2056.66
24.5	9.9711	10.4697	10.9932	11.5429	12.1200	797.69	837.58	879.46	923.43	969.60	1734.26	1820.98	1912.03	2007.63	2108.01
25.0	10.2147	10.7254	11.2617	11.8248	12.4160	817.18	858.03	900.94	945.98	993.28	1776.63	1865.44	1958.73	2056.66	2159.49
25.5	10.4697	10.9932	11.5429	12.1200	12.7260	837.58	879.46	923.43	969.60	1018.08	1820.98	1912.03	2007.63	2108.01	2213.41
26.0	10.7254	11.2617	11.8248	12.4160	13.0368	858.03	900.94	945.98	993.28	1042.94	1865.44	1958.73	2056.66	2159.49	2267.46
26.5	10.9932	11.5429	12.1200	12.7260	13.3623	879.46	923.43	969.60	1018.08	1068.98	1912.03	2007.63	2108.01	2213.41	2324.07
27.0	11.2617	11.8248	12.4160	13.0368	13.6886	900.94	945.98	993.28	1042.94	1095.09	1958.73	2056.66	2159.49	2267.46	2380.84
27.5	11.5429	12.1200	12.7260	13.3623	14.0304	923.43	969.60	1018.08	1068.98	1122.43	2007.63	2108.01	2213.41	2324.07	2440.28
28.0	11.8248	12.4160	13.0368	13.6886	14.3730	945.98	993.28	1042.94	1095.09	1149.84	2056.66	2159.49	2267.46	2380.84	2499.87

Exhibit "D-3"

SCHEDULE D-3
CLASSIFIED MANAGEMNT
AND CONF. EMPLOYEES
(FINAL)

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 12/29/81

HOURLY

RANGE	A	B	C	D	E
28.	12.1200	12.7260	13.3623	14.0304	14.7319
29.	12.4160	13.0368	13.6886	14.3730	15.0917
29.	12.7260	13.3623	14.0304	14.7319	15.4685
30.	13.0368	13.6886	14.3730	15.0917	15.8463
30.	13.3623	14.0304	14.7319	15.4685	16.2419
31.	13.6886	14.3730	15.0917	15.8463	16.6386
31.	14.0304	14.7319	15.4685	16.2419	17.0540
32.	14.3730	15.0917	15.8463	16.6386	17.4705
32.	14.7319	15.4685	16.2419	17.0540	17.9067
33.	15.0917	15.8463	16.6386	17.4705	18.3440
33.	15.4685	16.2419	17.0540	17.9067	18.8020
34.	15.8463	16.6386	17.4705	18.3440	19.2612
34.	16.2419	17.0540	17.9067	18.8020	19.7421
35.	16.6386	17.4705	18.3440	19.2612	20.2243
35.	17.0540	17.9067	18.8020	19.7421	20.7292
36.	17.4705	18.3440	19.2612	20.2243	21.2355
36.	17.9067	18.8020	19.7421	20.7292	21.7657
37.	18.3440	19.2612	20.2243	21.2355	22.2973
37.	18.8020	19.7421	20.7292	21.7657	22.8540
38.	19.2612	20.2243	21.2355	22.2973	23.4122
38.	19.7421	20.7292	21.7657	22.8540	23.9967
39.	20.2243	21.2355	22.2973	23.4122	24.5828
39.	20.7292	21.7657	22.8540	23.9967	25.1965
40.	21.2355	22.2973	23.4122	24.5828	25.8119
40.	21.7657	22.8540	23.9967	25.1965	26.4563
29.	13.1949	13.8546	14.5473	15.2747	16.0384
30.	13.8546	14.5473	15.2747	16.0384	16.8403
31.	14.5473	15.2747	16.0384	16.8403	17.6823
27.	11.8861	12.4804	13.1044	13.7596	14.4476
27.	12.1832	12.7924	13.4320	14.1036	14.8088
28.	12.4804	13.1044	13.7596	14.4476	15.1700
28.	12.7924	13.4320	14.1036	14.8088	15.5492
29.	13.1044	13.7596	14.4476	15.1700	15.9285
29.	13.4320	14.1036	14.8088	15.5492	16.3267
30.	13.7596	14.4476	15.1700	15.9285	16.7249
30.	14.1036	14.8088	15.5492	16.3267	17.1430
31.	14.4476	15.1700	15.9285	16.7249	17.5611
31.	14.8088	15.5492	16.3267	17.1430	18.0002

BI-WEEKLY

RANGE	A	B	C	D	E
28.	969.60	1018.08	1068.98	1122.43	1178.55
29.	993.28	1042.94	1095.09	1149.84	1207.34
29.	1018.08	1068.98	1122.43	1178.55	1237.48
30.	1042.94	1095.09	1149.84	1207.34	1267.70
30.	1068.98	1122.43	1178.55	1237.48	1299.35
31.	1095.09	1149.84	1207.34	1267.70	1331.09
31.	1122.43	1178.55	1237.48	1299.35	1364.32
32.	1149.84	1207.34	1267.70	1331.09	1397.64
32.	1178.55	1237.48	1299.35	1364.32	1432.54
33.	1207.34	1267.70	1331.09	1397.64	1467.52
33.	1237.48	1299.35	1364.32	1432.54	1504.16
34.	1267.70	1331.09	1397.64	1467.52	1540.90
34.	1299.35	1364.32	1432.54	1504.16	1579.37
35.	1331.09	1397.64	1467.52	1540.90	1617.94
35.	1364.32	1432.54	1504.16	1579.37	1658.34
36.	1397.64	1467.52	1540.90	1617.94	1698.84
36.	1432.54	1504.16	1579.37	1658.34	1741.26
37.	1467.52	1540.90	1617.94	1698.84	1783.78
37.	1504.16	1579.37	1658.34	1741.26	1828.32
38.	1540.90	1617.94	1698.84	1783.78	1872.98
38.	1579.37	1658.34	1741.26	1828.32	1919.74
39.	1617.94	1698.84	1783.78	1872.98	1966.62
39.	1658.34	1741.26	1828.32	1919.74	2015.72
40.	1698.84	1783.78	1872.98	1966.62	2064.95
40.	1741.26	1828.32	1919.74	2015.72	2116.50
29.	1055.59	1108.37	1163.78	1221.98	1283.07
30.	1108.37	1163.78	1221.98	1283.07	1347.22
31.	1163.78	1221.98	1283.07	1347.22	1414.58
27.	950.89	998.43	1048.35	1100.77	1155.81
27.	974.66	1023.39	1074.56	1128.29	1184.70
28.	998.43	1048.35	1100.77	1155.81	1213.60
28.	1023.39	1074.56	1128.29	1184.70	1243.94
29.	1048.35	1100.77	1155.81	1213.60	1274.28
29.	1074.56	1128.29	1184.70	1243.94	1306.14
30.	1100.77	1155.81	1213.60	1274.28	1337.99
30.	1128.29	1184.70	1243.94	1306.14	1371.44
31.	1155.81	1213.60	1274.28	1337.99	1404.89
31.	1184.70	1243.94	1306.14	1371.44	1440.02

MONTHLY

RANGE	A	B	C	D	E
28.	2108.01	2213.41	2324.07	2440.28	2562.29
29.	2159.49	2267.46	2380.84	2499.87	2624.88
29.	2213.41	2324.07	2440.28	2562.29	2690.41
30.	2267.46	2380.84	2499.87	2624.88	2756.11
30.	2324.07	2440.28	2562.29	2690.41	2824.92
31.	2380.84	2499.87	2624.88	2756.11	2893.92
31.	2440.28	2562.29	2690.41	2824.92	2966.17
32.	2499.87	2624.88	2756.11	2893.92	3038.61
32.	2562.29	2690.41	2824.92	2966.17	3114.49
33.	2624.88	2756.11	2893.92	3038.61	3190.54
33.	2690.41	2824.92	2966.17	3114.49	3270.19
34.	2756.11	2893.92	3038.61	3190.54	3350.07
34.	2824.92	2966.17	3114.49	3270.19	3433.71
35.	2893.92	3038.61	3190.54	3350.07	3517.56
35.	2966.17	3114.49	3270.19	3433.71	3605.40
36.	3038.61	3190.54	3350.07	3517.56	3693.45
36.	3114.49	3270.19	3433.71	3605.40	3785.67
37.	3190.54	3350.07	3517.56	3693.45	3878.12
37.	3270.19	3433.71	3605.40	3785.67	3974.95
38.	3350.07	3517.56	3693.45	3878.12	4072.05
38.	3433.71	3605.40	3785.67	3974.95	4173.71
39.	3517.56	3693.45	3878.12	4072.05	4275.63
39.	3605.40	3785.67	3974.95	4173.71	4382.38
40.	3693.45	3878.12	4072.05	4275.63	4489.41
40.	3785.67	3974.95	4173.71	4382.38	4601.48
29.	2294.96	2409.71	2530.17	2656.71	2789.52
30.	2409.71	2530.17	2656.71	2789.52	2928.99
31.	2530.17	2656.71	2789.52	2928.99	3075.44
27.	2067.33	2170.69	2279.22	2393.18	2512.85
27.	2119.01	2224.95	2336.20	2453.02	2575.66
28.	2170.69	2279.22	2393.18	2512.85	2638.49
28.	2224.95	2336.20	2453.02	2575.66	2704.45
29.	2279.22	2393.18	2512.85	2638.49	2770.41
29.	2336.20	2453.02	2575.66	2704.45	2839.68
30.	2393.18	2512.85	2638.49	2770.41	2908.92
30.	2453.02	2575.66	2704.45	2839.68	2981.65
31.	2512.85	2638.49	2770.41	2908.92	3054.37
31.	2575.66	2704.45	2839.68	2981.65	3130.75

EDULE D-3
F. IFIED MANAGEMNT
) CONF. EMPLOYEES
INAL)

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 12/29/81

	HOURLY					BI-WEEKLY					MONTHLY				
NGE	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E
2.	15.1700	15.9285	16.7249	17.5611	18.4392	1213.60	1274.28	1337.99	1404.89	1475.14	2638.49	2770.41	2908.92	3054.37	3207.10
2.	15.5492	16.3267	17.1430	18.0002	18.9002	1243.94	1306.14	1371.44	1440.02	1512.02	2704.45	2839.68	2981.65	3130.75	3287.28
3.	15.9285	16.7249	17.5611	18.4392	19.3612	1274.28	1337.99	1404.89	1475.14	1548.90	2770.41	2908.92	3054.37	3207.10	3367.46
3.	16.3267	17.1430	18.0002	18.9002	19.8452	1306.14	1371.44	1440.02	1512.02	1587.62	2839.68	2981.65	3130.75	3287.28	3451.64

FICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
QUAL BI-WEEKLY SALARY=HOURLY RATE X 80
NTHLY SALARY = BI-WKLY RATE X 2.1741

Schedule E-3
Unclassified Management and
Council Appointees

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
Effective December 29, 1981

	Rate	A	B	C	D	E
Council Appointed						
City Manager	Hourly					30.1838
	Biweekly					2,414.70
	Monthly					5,249.80
City Attorney	Hourly					25.6787
	Biweekly					2,054.30
	Monthly					4,466.25
City Clerk and Auditor	Hourly	14.0949	14.7998	15.5397	16.3167	17.1326
	Biweekly	1,127.59	1,183.98	1,243.18	1,305.34	1,370.61
	Monthly	2,451.49	2,574.09	2,702.80	2,837.94	2,979.84
Unclassified Management						
Director of Finance	Hourly	17.9012	18.7962	19.7359	20.7228	21.7590
	Biweekly	1,432.10	1,503.70	1,578.87	1,657.82	1,740.72
	Monthly	3,113.53	3,269.19	3,432.62	3,604.27	3,784.50
Director of Management Services	Hourly	17.9012	18.7962	19.7359	20.7228	21.7590
	Biweekly	1,432.10	1,503.70	1,578.87	1,657.82	1,740.72
	Monthly	3,113.53	3,269.19	3,432.62	3,604.27	3,784.50
Director of Parking and Traffic	Hourly	17.9012	18.7962	19.7359	20.7228	21.7590
	Biweekly	1,432.10	1,503.70	1,578.87	1,657.82	1,740.72
	Monthly	3,113.53	3,269.19	3,432.62	3,604.27	3,784.50
Director of Parks and Recreation	Hourly	18.3500	19.2675	20.2308	21.2423	22.3044
	Biweekly	1,468.00	1,541.40	1,618.46	1,699.38	1,784.35
	Monthly	3,191.58	3,351.16	3,518.69	3,694.62	3,879.36
Director of Planning and Community Development	Hourly	17.9012	18.7962	19.7359	20.7228	21.7590
	Biweekly	1,432.10	1,503.70	1,578.87	1,657.82	1,740.72
	Monthly	3,113.53	3,269.19	3,432.62	3,604.27	3,784.50
Director of Public Works and City Engineer	Hourly	21.1259	22.1822	23.2914	24.4559	25.6787
	Biweekly	1,690.07	1,774.58	1,863.31	1,956.47	2,054.30
	Monthly	3,674.38	3,858.11	4,051.02	4,253.56	4,466.25
Fire Chief	Hourly	17.9012	18.7962	19.7359	20.7228	21.7590
	Biweekly	1,432.10	1,503.70	1,578.87	1,657.82	1,740.72
	Monthly	3,113.53	3,269.19	3,432.62	3,604.27	3,784.50
Chief of Police	Hourly	19.5280	20.5044	21.5296	22.6061	23.7364
	Biweekly	1,562.24	1,640.35	1,722.37	1,808.49	1,898.91
	Monthly	3,396.47	3,566.28	3,744.60	3,931.84	4,128.42

Exhibit "E-3"

CITY OF MODESTO
ALPHABETICAL LISTING OF CLASSIFICATIONS IN CITY SERVICE
1981-82
(Effective 6-30-81)

Range No.	Title of Classification
111.5	Account Clerk I
114.5	Account Clerk II
116.5	Account Clerk III
119.5	Account Clerk IV
426.0	Accountant
433.0	Accounting Administrator
426.0	Administrative Analyst
426.5	Administrative Assistant (Parking & Traffic)
429.0	Airport Manager
424.5	Airport Maintenance Supervisor
116.5	Animal Control Officer I
118.5	Animal Control Officer II
426.5	Arborist
122.0	Assistant Building Inspector
426.0	Assistant Chief Electrician
633.0	Assistant Chief of Police
432.0	Assistant City Attorney I
434.0	Assistant City Attorney II
420.5	Assistant City Clerk
429.0	Assistant Civil Engineer
433.0	Assistant Director of Parks & Recreation
436.0	Assistant Director of Public Works
122.5	Assistant Electrician
426.0	Assistant Planner
428.0	Assistant Property Agent
427.0	Assistant Risk Manager
426.0	Assistant Shop Supervisor
122.0	Assistant Zoning Inspector
432.0	Associate Civil Engineer
429.0	Associate Planner
426.0	Budget Accountant
125.0	Building Inspector
426.5	Building Maintenance Supervisor
120.5	Building Maintenance Worker
122.5	Building Maintenance Leadworker
433.0	Chief Building Official
429.0	Chief Electrician
N/A	Chief of Police
426.5	Chief of Survey Party
N/A	City Attorney
N/A	City Clerk and Auditor
N/A	City Manager
117.5	Civil Engineering Technician I
120.5	Civil Engineering Technician II
123.5	Civil Engineering Technician III
126.5	Civil Engineering Technician IV
124.0	Coach Mechanic
120.5	Community Service Officer
119.5	Computer Operator
125.0	Construction Inspector
427.0	Cost Analyst
123.0	Crime Analyst
428.0	Data Processing Supervisor
427.0	Deputy City Attorney I
429.0	Deputy City Attorney II
312.0	Detective
N/A	Director of Finance
N/A	Director of Management Services
N/A	Director of Parking and Traffic
N/A	Director of Parks and Recreation
N/A	Director of Planning and Community Development
N/A	Director of Public Works and City Engineer

Exhibit "F"

wpc 6/15/81

Range No.	Title of Classification
120.5	Electrical Technician
118.5	Electrical Trainee
124.5	Electrician
126.0	Engineering Computer Programmer
122.0	Equipment Mechanic
120.5	Equipment Operator
119.0	Equipment Service Worker
118.5	Evidence and Property Specialist
120.5	Financial Specialist
529.0	Fire Battalion Chief
N/A	Fire Chief
211.0	Fire Engineer
210.0	Fire Fighter
213.0	Fire Lieutenant
120.5	Fire Prevention Technician
122.5	Heavy Equipment Operator
120.5	Housing Conservationist
432.0	Housing Program Officer
125.0	Industrial Waste Inspector
116.5	Janitor
123.0	Junior Accountant
126.0	Junior Civil Engineer
123.0	Junior Planner
114.5	Keypunch Operator
122.5	Laboratory Technician
113.5	Laborer (Unclassified)
426.0	Landscape Designer
125.0	Lead Coach Mechanic
123.0	Lead Equipment Mechanic
416.5	Legal Secretary I
418.5	Legal Secretary II

Range No.	Title of Classification
113.5	Maintenance Worker Trainee
116.5	Maintenance Worker
429.0	Management Assistant
122.5	Mechanic/Treatment Plant
424.5	Mechanical Maintenance Supervisor/ Treatment Plant
113.5	Microfilm and Graphics Technician I
115.5	Microfilm and Graphics Technician II
120.5	Motor Sweeper Operator
424.0	Museum Supervisor
122.5	Nursery Propagator
106.5	Office Aide I
109.5	Office Aide II
113.5	Office Services Clerk
122.5	Office Services Supervisor
122.5	Parking and Traffic Leadworker
120.5	Parking and Traffic Maintenance Worker
122.5	Parks Maintenance Leadworker
424.5	Parks Maintenance Supervisor I
426.5	Parks Maintenance Supervisor II
118.5	Parks Maintenance Worker I
120.5	Parks Maintenance Worker II
429.0	Parks Superintendent
432.0	Personnel Manager
420.5	Personnel Technician
126.0	Plan Review Engineer I
426.0	Plan Review Engineer I (MGT)
117.5	Planning Technician I
120.5	Planning Technician II
123.5	Planning Technician III
632.0	Police Captain
113.5	Police Clerk
630.0	Police Lieutenant
310.0	Police Officer
425.0	Police Records Supervisor

Range No.	Title of Classification
628.0	Police Sergeant
115.5	Printing Services Operator I
118.5	Printing Services Operator II
123.0	Programmer
426.0	Programmer Analyst
430.0	Property Agent
427.0	Public Services Officer
122.0	Public Services Inspector
106.5	Public Services Trainee
122.5	Public Works Leadworker
118.5	Public Works Maintenance Worker I
120.5	Public Works Maintenance Worker II
424.5	Public Works Supervisor I
426.5	Public Works Supervisor II
120.5	Pump Maintenance Worker
122.0	Purchasing Assistant I
124.0	Purchasing Assistant II
430.0	Purchasing Officer
117.5	Recreation Program Supervisor
429.0	Recreation Superintendent
426.0	Recreation Supervisor
125.0	Rehabilitation Specialist
430.0	Risk Manager
417.5	Risk Management Technician
116.5	Secretary I
416.5	Secretary I (Conf.)
418.5	Secretary II
420.5	Secretary to the City Attorney
421.5	Secretary to the City Manager
428.0	Senior Accountant
126.5	Senior Building Inspector
416.5	Senior Personnel Clerk
423.5	Senior Personnel Technician
432.0	Senior Planner
428.0	Senior Rehabilitation Specialist
429.0	Shop Supervisor
123.5	Social Services Coordinator
423.5	Social Services Coordinator (MGT)
114.5	Stenographer Clerk
118.5	Storeskeeper I
120.5	Storeskeeper II
120.5	Street Trees Maintenance Worker II
428.0	Supervising Building Inspector
113.5	Telephone Operator-Receptionist
429.0	Transit Manager
120.5	Tree Trimmer I
122.5	Tree Trimmer II
109.5	Typist Clerk I
409.5	Typist Clerk I (Conf.)
111.5	Typist Clerk II
411.5	Typist Clerk II (Conf.)
113.5	Typist Clerk III
424.5	Warehouse Supervisor
118.5	Wastewater Treatment Plant Attendant
120.5	Wastewater Treatment Plant Operator I
122.5	Wastewater Treatment Plant Operator II
426.5	Wastewater Treatment Plant Supervisor
432.0	Water Quality Control Superintendent
125.0	Water System Inspector
118.5	Word Processing Supervisor
114.5	Word Processing Technician I
116.5	Word Processing Technician II
113.5	Word Processing Trainee
425.0	Zoning Inspector

Totals: 11 City Manager, Department Heads
175 Other
186

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 554

A RESOLUTION ESTABLISHING PROCEDURE FOR PAYMENT OF UNIFORM ALLOWANCE FOR POLICE DEPARTMENT PERSONNEL

WHEREAS, it is in the City's interest to provide separately from regular salary a reasonable reimbursement for the maintenance of uniforms required in the Police Department,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. UNIFORM ALLOWANCE. Sworn police personnel shall be paid Thirty-two and 50/100ths ($32.50) Dollars per calendar month of service, as a uniform allowance, said sum to be paid quarterly at the end of March, June, September and December each year.

Persons classified as Animal Control Officer shall be paid Ten and no/100ths ($10.00) Dollars per calendar month of service, as a uniform allowance, said sum to be paid as stated in Paragraph 1 of this section.

No uniform allowance shall be paid to Police Department personnel during the first six (6) months of city service, but said allowance shall be withheld and shall accrue to the benefit of said employee to be paid at the end of the second regular full quarter, provided, however, that no payment shall be made to Police Department personnel who terminate employment prior to or at the end of the first six (6) months of service.

For the purpose of computing the above allowances, one-half (1/2) or less of a month shall not be counted.

SECTION 2. The Chief of Police shall submit a signed report to the Director of Finance at the end of each calendar quarter showing, by the month, the names of department personnel eligible to receive the uniform maintenance allowance.

SECTION 3. Uniform allowance shall not accrue to persons not specifically included in this resolution.

SECTION 4. The City Manager is authorized to establish rules for the equitable administration of this allowance.

SECTION 5. This resolution shall become effective on and after July 1, 1981.

SECTION 6. Resolution No. 80-592 adopted on June 17, 1980, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 555

A RESOLUTION DIRECTING THE DISPOSITION OF SALES AND USE TAX FUNDS RECEIVED BY THE CITY OF MODESTO.

WHEREAS, Section 8-2.501 of Article 5 of Chapter 2 of Title VIII of the Modesto Municipal Code provides for the disposition of moneys received by the City under or pursuant to the provisions of Article 4 of Chapter 2 of Title VIII of the Modesto Municipal Code, which relates to sales and use tax, and

WHEREAS, said Section 8-2.501 referred to above states that all of said moneys shall be deposited and paid into the General Fund of the City; except that, the Council, by resolutions adopted from time to time, may direct that up to one-half (1/2) of said money shall be paid into the Special Capital Outlay Fund and shall be expended solely for capital outlays, and

WHEREAS, the Council desires to provide that seventy-five (75%) percent of said moneys received under or pursuant to the provisions of Article 4 of Chapter 2 of Title VIII of the Modesto Municipal Code relating to sales and use taxes, shall be deposited in the General Fund of the City, and that the remaining twenty-five (25%) percent thereof shall be paid into the Special Capital Outlay Fund, and shall be expended solely for capital outlays, as provided in Section 8-2.501 of the Modesto Municipal Code,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby directs that seventy-five (75%) percent of all moneys received under or pursuant to the provisions of Article 4 of Chapter 2 of Title VIII of the Modesto Municipal Code shall be deposited in the General Fund of the City, and that the remaining twenty-five (25%) percent thereof shall be paid into the Special Capital Outlay Fund, and shall be expended solely for capital outlays, as provided in Section 8-2.501 of the Modesto Municipal Code.

BE IT FURTHER RESOLVED that this resolution supersedes all prior resolutions adopted by the Council of the City of Modesto relating to the disposition of sales and use tax funds received by the City of Modesto.

This resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 556

A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN GROUP HEALTH AND DENTAL INSURANCE PREMIUM RATES OR PORTIONS THEREOF.

WHEREAS, the City of Modesto has a group health insurance plan for its employees and their dependents, and

WHEREAS, the City of Modesto has a group dental insurance plan for its employees and for the dependents of some of its employees, and

WHEREAS, the Council desires to set forth which of the premium rates or portions thereof charged by the companies which provide the City's group health and dental insurance plans will be paid by the City of Modesto, and which will be paid by the employees, and

WHEREAS, some employees of the City of Modesto, pursuant to provisions in Memoranda of Understanding, subscribe for health and dental insurance coverage under a group plan administered by the Operating Engineers Union Local No. 3, and

WHEREAS, the Council desires to set forth which of the premium rates or portions thereof charged by the Operating Engineers Union Local No. 3 group health and dental insurance plan will be paid by the City of Modesto, and which will be paid by the employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City of Modesto will pay the premium rates, or portions thereof, for group health and dental insurance under the group health and dental insurance plans provided by the City of Modesto as set forth on the chart marked Exhibit "A", attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that the City of Modesto will pay the premium rates, or portions thereof, for group health and dental insurance under the group

insurance plan provided by the Operating Engineers Union Local No. 3 as set forth on the chart marked Exhibit "B", attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that employees who want to subscribe for health and dental insurance coverage for dependents under the City's group health and dental insurance plans must subscribe for dependent coverage under both of said plans.

BE IT FURTHER RESOLVED that this resolution supersedes all previous resolutions which provided for the payment of group health and dental insurance premium rates by the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CITY OF MODESTO
HEALTH & DENTAL INSURANCE
PREMIUM DISTRIBUTION

Group	Plan	Employee Cost	City Cost (City Plan Rates As Of 6/30/81)	Total Cost
POLICE (Non-Management)	Employee			
	Dental	-	5.79	21.81
	Health	-	16.02	
	Combined			
	Health	-	51.08	51.08
MISCELLANEOUS (Non-Management)	Employee			
	Dental	-	5.79	21.81
	Health	-	16.02	
	Combined			
	Dental	-	11.85	62.93
	Health	-	51.08	
MGT & CONFIDENTIAL (Except Police and Fire Management, but including Police and Fire Chief)	Employee			
	Dental	-	5.79	21.81
	Health	-	16.02	
	Combined			
	Dental	-	11.85	62.93
	Health	-	51.08	
FIRE (Non-Management)	Employee			
	Dental	-	5.79	21.81
	Health	-	16.02	
	Combined			
	Health	16.92	32.06	48.98
POLICE MANAGEMENT (Except Chief)	Employee			
	Dental	-	5.79	21.81
	Health	-	16.02	
	Combined			
	Dental	-	11.85	62.93
	Health	-	51.08	
FIRE MANAGEMENT (Except Chief)	Employee			
	Dental	-	5.79	21.81
	Health	-	16.02	
	Combined			
	Dental	-	11.85	60.83
	Health	16.92	32.06	

Exhibit "A"

CITY OF MODESTO
HEALTH & DENTAL INSURANCE
PREMIUM DISTRIBUTION

Group	Plan	OE #3 Plan Rates As Of 6/30/81 Employee Cost	City Cost	Total Cost
POLICE (Non-Management)	Employee			
	Dental	-	5.87	44.62
	Health	22.73	16.02	
	Combined			
	Dental	-	5.87	66.23
	Health	9.28	51.08	
MISCELLANEOUS (Non-Management)	Employee			
	Dental	-	5.79	44.62
	Health	-	38.83	
	Combined			
	Dental	-	11.85	66.69
	Health	3.76	51.08	

Exhibit "B"

MODESTO CITY COUNCIL
RESOLUTION NO. 81-557

A RESOLUTION AMENDING SECTION 3 OF RESOLUTION NO. 78-915, AS PREVIOUSLY AMENDED BY RESOLUTION NO. 79-641, WHICH RESOLUTION ESTABLISHED A MANDATORY DEFERRED COMPENSATION PLAN FOR CERTAIN EMPLOYEES OF THE CITY OF MODESTO, TO PROVIDE FOR ADDITIONAL PAYMENT BY THE CITY INTO SAID PLAN ON BEHALF OF CERTAIN EMPLOYEES.

WHEREAS, this Council, by Resolution No. 78-915, adopted on August 21, 1978, established a Mandatory Deferred Compensation Plan for certain of the employees of the City of Modesto, and

WHEREAS, thereafter, by Resolution No. 79-641 adopted on June 26, 1979, said Mandatory Deferred Compensation Plan was amended, including Section 3 thereof, and

WHEREAS, after meeting and conferring with the Modesto City Employees Association, this Council has determined that it would be advantageous to both the City and certain of its employees represented by said Association and previously covered by said Mandatory Deferred Compensation Plan for the City to make additional payments into said Mandatory Deferred Compensation Plan on behalf of those employees, and

WHEREAS, after meeting and conferring with the Modesto Police Association, this Council has determined that it would be advantageous to both the City and certain of its employees represented by said Association and previously covered by said Mandatory Deferred Compensation Plan for the City to make additional payments into said Mandatory Deferred Compensation Plan on behalf of those employees, and

WHEREAS, after considering recommendations made by the City Manager for Management and Confidential Employees, this Council has determined that it would be advantageous to both the City and certain of its Management and Confidential

Employees, some of whom were previously covered and some of whom were not previously covered by said Mandatory Deferred Compensation Plan, to either include those Management and Confidential Employees not previously covered in said plan or to make additional payments into said plan on behalf of those Management and Confidential Employees previously covered by said plan,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Section 3 of Modesto City Council Resolution No. 78-915, adopted on August 21, 1978, as previously amended by Resolution No. 79-641, adopted on June 26, 1979, is hereby further amended to read as follows:

SECTION 3. Effective June 30, 1981, the City of Modesto shall pay into said Mandatory Deferred Compensation Plan each pay period.

A. For each employee of the City of Modesto who holds a salaried position of employment in the classifications of Police Officer and Detective and who does not subscribe for health insurance coverage for said employee's dependents, an amount equal to the difference between $12.35 and the amount paid by the City of Modesto toward the cost of health insurance coverage for dependents for the employees in said classifications of Police Officer and Detective who subscribes for health insurance coverage for dependents for which the City pays the premiums. Provided, however, that no such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

B. For each employee of the City of Modesto who holds a salaried position of employment, except employees in the classifications of Fire Fighter, Fire Engineer, Fire Lieutenant, Police Officer, Detective and those employees in classifications and positions designated as Management and Confidential, and who subscribes for employee health and dental insurance coverage under the City's group health and dental insurance plans, and who does not subscribe under said plans for health and dental

insurance coverage for said employee's dependents, an amount equal to the difference between $12.35 and the amount paid by the City of Modesto for health and dental insurance coverage for dependents for the employees in the classifications covered by this Paragraph B who subscribe for health and dental insurance coverage for dependents under the City's group health and dental insurance plans. Provided, however, that no such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

C. For each employee of the City of Modesto who holds a salaried position of employment, except employees in the classification of Fire Fighter, Fire Engineer, Fire Lieutenant, Police Officer, Detective, and those employees in classifications and positions designated as Management and Confidential, and who subscribes for employee health and dental insurance coverage under the Operating Engineers Union Local No. 3 group health and dental insurance plan and who does not subscribe under said plan for health and dental insurance coverage for said employee's dependents, an amount equal to the difference between $12.35 and the total amount the City pays for health and dental insurance for an employee and the employee's dependents under the City's group health and dental insurance plans less the cost of health and dental insurance for an employee only under the Operating Engineers Union Local No. 3 group health and dental insurance plan for which the City pays the premium. Provided however, that no such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

D. For each employee of the City of Modesto who holds a salaried position of employment in a classification or position designated as Management or Confidential, except Fire Battalion Chief, and who does not subscribe for health and dental insurance coverage for said employee's dependents under the City's group health and dental insurance plans, an amount equal to the amount paid by the City of Modesto for health and dental insurance coverage for dependents for the employees in said classifications and positions who subscribe for health and dental insurance coverage for dependents under the City's group health and dental insurance plans. Provided, however, that no such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

E. For each employee of the City of Modesto who holds a salaried position of employment in the classification of Fire Battalion Chief, and who does not subscribe for health and dental insurance coverage for said employee's dependents under the City's group health and dental insurance plans, an amount equal to the amount paid by the City of Modesto for dental insurance coverage for dependents for the employees in said classification of Fire Battalion Chief who subscribe for dental insurance coverage for dependents under the City's group dental insurance plan. Provided, however, that no such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly

seconded by Councilmember ~~Elliott~~, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-558

A RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MODESTO AND THE MODESTO CITY EMPLOYEES ASSOCIATION FOR THE FISCAL YEAR COMMENCING JULY 1, 1981 AND ENDING JUNE 30, 1982

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Memorandum of Understanding between the City of Modesto and the Modesto City Employees Association for salary and fringe benefits covering the fiscal year commencing July 1, 1981, and ending June 30, 1982, be and it is hereby approved.

BE IT FURTHER RESOLVED that the implementation of said memorandum of understanding by the designated City officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-559

A RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MODESTO AND THE MODESTO POLICE OFFICERS ASSOCIATION FOR THE FISCAL YEARS OF 1981-82 THROUGH 1985-86

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Memorandum of Understanding between the City of Modesto and the Modesto Police Officers Association for salary and fringe benefits covering the five fiscal years commencing July 1, 1981, and ending June 30, 1986, and covering all matters regarding which the Modesto Police Association has the right to meet and confer with the City of Modesto during said five years be and it is hereby approved.

BE IT FURTHER RESOLVED that the implementation of said memorandum of understanding by the designated City officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-560

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANDARD INSURANCE COMPANY OF OREGON REGARDING LONG-TERM DISABILITY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Standard Insurance Company of Oregon **for** long-term disability benefits

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd **day of** June, 19 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-561

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CALIFORNIA DENTAL SERVICES FOR DEPENDENT DENTAL COVERAGE FOR MISCELLANEOUS AND MANAGEMENT AND CONFIDENTIAL EMPLOYEES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and California Dental Services **for** dependent dental coverage for miscellaneous and management and confidential employees **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd **day of** June, 1981, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-562

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $432,813 FOR THE COST OF THE FIRST PHASE OF THE McHENRY MANSION RESTORATION PROJECT

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Reserve	$432,813.00
TO:	McHenry Mansion Restoration, P & R	$432,813.00

These funds are necessary to cover the cost of the first phase contract for the McHenry Mansion Restoration Project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd **day of** June, 1981, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-563

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND POTOMAC INSURANCE COMPANY FOR WORKERS' COMPENSATION "EXCESS" INSURANCE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Potomac Insurance Company **for** Workers' Compensation "excess" insurance

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd **day of** June, 1981, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-564

A RESOLUTION ESTABLISHING PASSENGER FARES FOR BUS SERVICE ON MODESTO INTRACITY TRANSIT

BE IT RESOLVED by the Council of the City of Modesto that the following fares are hereby established for passengers riding on the fixed route buses of the Modesto Intracity Transit:

A. Cash Fares

1.	Regular	$ .50
2.	Youths (age 12 years and younger)	$ .25
3.	Handicapped and Senior Citizens	$ .20

B. Passes and Tickets

1.	Regular Monthly Passes - full month	$ 15.00
	After the 7th of the month	11.00
	After the 14th of the month	7.00
	After the 21st of the month	3.00
2.	Senior Citizen and Handicapped Monthly Passes - full month	$ 7.50
	After the 7th of the month	5.50
	After the 14th of the month	3.50
	After the 21st of the month	1.50
3.	Daily Pass	$ 1.00
4.	Senior Citizen and Handicapped Daily Pass	$ .50
5.	Commuter Tickets (Commuter tickets are valid only between the hours of 6 AM and 10 AM and from 4 PM to 6 PM every day except Sunday)	$ 21.00 for 50 rides
6.	Welfare Tickets	$ 25.00 for 50 rides

BE IT FURTHER RESOLVED that this resolution shall be effective on and after July 13, 1981, and supersedes Resolution No. 81-382.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn I. Johnson
ELWYN I. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-565

A RESOLUTION DENYING THE REQUEST OF CHARLES PRENTICE FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE TWO (2) TAXICABS IN THE CITY OF MODESTO.

WHEREAS, Charles Prentice, proposing to do business as City Cab Company, has filed an application, dated May 26, 1981, for Certificates of Public Convenience and Necessity to operate two (2) taxicabs in the City of Modesto, and

WHEREAS, a public hearing was set by the City Council for July 7, 1981, at 4:00 o'clock p.m. in the Council Chambers in the City Hall located at 801 - 11th Street, Modesto, to consider said application, and

WHEREAS, the public hearing on said application has been held at said time and place, and

WHEREAS, the City Manager has caused the Director of Parking and Traffic to make an investigation and report, in writing, to the City Council on said application,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines as follows:

1. That the public convenience and necessity does not require the operation of the additional proposed taxicab service because there are a sufficient number of taxicabs already authorized and operating in the City of Modesto,

2. That Charles Prentice be denied Certificates of Public Convenience and Necessity to operate two (2) taxicabs in the City of Modesto under the name of City Cab Company.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Vice-Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-566

A RESOLUTION AUTHORIZING THE TRANSFER OF SEVEN CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE TAXICABS FROM OTIS D. LEE TO MS. PENNY HUDSON.

WHEREAS, requests were filed with the Council of the City of Modesto by Otis D. Lee and Ms. Penny Hudson to transfer seven (7) certificates of public convenience and necessity to operate taxicabs in the City of Modesto from Otis D. Lee, doing business as "Modesto Cab Company" to Ms. Penny Hudson, to do business as "Modesto Cab Company", and

WHEREAS, said application was investigated by the Director of Parking and Traffic who has reported his findings in connection therewith, and

WHEREAS, a public hearing was held on July 7, 1981, to consider the transfer of seven (7) taxicab certificates of public convenience and necessity to operate taxicabs as applied for,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. Transfer of seven (7) certificates of public convenience and necessity to operate taxicabs in the City of Modesto from Otis D. Lee, doing business as "Modesto Cab Company", to Ms. Penny Hudson, to do business as "Modesto Cab Company", is hereby authorized in accordance with Section 4-6.209 of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by

Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Vice-Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN D. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-567

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (308).

WHEREAS, a verified application for an amendment to Section 10-3-9 of the Zoning Map was filed by U.S. By Products on April 28, 1981, to reclassify from a portion of Planned Development Zone, P-D(211), to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in a portion of the Southeast Quarter of Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian and lying within the City of Modesto, County of Stanislaus, State of California, described as follows:

BEGINNING at the East Quarter corner of said Section 10, said point being the centerline intersection of Sylvan Avenue with Oakdale Road; thence South 0° 10' 55" West along the East line of said Section 10, and said centerline of Oakdale Road, a distance of 752.66 feet; thence North 89° 49' 05" West, 723.45 feet; thence North 18° 36' 35" West, 7.44 feet, thence Northeasterly along an arc of a tangent curve to the right, having a radius of 400.00 feet, through a central angle of 46° 32' 00", an arc distance of 324.86 feet to a point of compound curvature; thence Northwesterly along an arc of a compound curve to the left, having a radius of 300.00 feet, through a central angle of 27° 12' 10", an arc distance of 142.43 feet; thence tangent to the preceding curve North 0° 43' 15" East, 300.00 feet to the intersection with the East-West Quarter Section Line of said Section 10 and said centerline of Sylvan Avenue; thence South 89° 16' 45" East along said East-West Line and said centerline of Sylvan Avenue a distance of 563.93 feet to the Point of Beginning.

WHEREAS, after public hearing held on June 1, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The Modesto Urban Area General Plan calls for a neighborhood shopping center at this major street intersection.

2. The site design is quite compatible with the potential residential development in the area.

WHEREAS, after a public hearing held on July 7, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of U.S. By Products for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2057-C.S. on the 7th day of July, 1981, reclassifying the above-described property from a portion of Planned Development Zone, P-D(211), to Planned-Development Zone, P-D (308).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(308) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan titled "Naraghi; Lakes, Modesto Cal, Neighborhood Commercial" as amended in red, stamped approved by the Planning Commission on June 1, 1981.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code. Screen landscaping shall be installed along the south property line and adjacent to the supermarket loading bays along Oakdale Road.

3. An eight foot decorative masonry wall along the south property line shall be constructed prior to occupancy. If a specific plan of development for the parcel adjacent to the south property line warrants the wall requirement could be deleted in whole or in part of that subsequent approval.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. The developer shall dedicate and/or improve sufficient right-of-way as required by the Director of Public Works to complete Sylvan, Oakdale and Hashem Drive to major and collector street standards respectively prior to occupancy or upon demand by the City, whichever occurs first.

6. Prior to issuance of a building permit, street improvement plans shall be approved by the Director of Public Works.

7. Prior to occupancy, the developer shall construct full sidewalk on the Sylvan, Oakdale and Hashem Drive frontages as required by the Director of Public Works.

8. Prior to issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the Director of Public Works.

9. Drainage shall be provided as required by the Director of Public Works.

10. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

11. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

12. All businesses may be open to the public only between the hours of 7 a.m. and 10 p.m. seven days a week, unless a use permit for each business seeking additional hours is obtained from the Board of Zoning Adjustment.

13. No operations conducted on the premises shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration, or electrical interference detectable off the premises. All machinery or equipment shall be soundproofed as required by the Director of Public Works.

14. The loading dock area on the Oakdale Road side of the shopping center may not be used for outside storage of any type of material.

15. The supermarket shall be the first use to open for business in the shopping center.

16. Three freestanding shopping center identification signs shall be permitted, one each on the Oakdale, Sylvan and Hashem Drive frontages. These signs shall not exceed 72 sq. ft. in area and 20 feet in height. All other signs in the shopping center shall comply with the sign requirements of the H-1 Zone.

17. No signs shall be permitted on the south face of the two buildings closest to the south property line.

18. Prior to the issuance of a building permit for any structure, a subdivision map shall be recorded.

19. The applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. Hydrants shall be installed and operable prior to construction of any structures.

20. This P-D zone shall not become effective unless and until P-D(150) across Sylvan Avenue to the north is repealed and is effectively rezoned to R-1.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (308):

Construction to begin on or before August 1, 1984, and completion to be not later than August 1, 1987.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS ETC In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (308) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Brooks
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-568

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 10-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (U.S. BY PRODUCTS)

WHEREAS, on July 7, 1981, the City Council introduced Ordinance No. 2057-C.S. giving approval to a project relating to an amendment to Section Map 10-3-9 of the Zoning Map of the City of Modesto to reclassify a portion of Planned Development Zone, P-D(211), to Planned Development Zone, P-D(308), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 10-3-9 of the Zoning Map of the City of Modesto to reclassify a portion of Planned Development Zone, P-D(211), to Planned Development Zone, P-D(308).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-569

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 10-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (Planning Commission Initiated)

WHEREAS, on July 7, 19 81, the City Council introduced Ordinance No. 2058 - C. S. giving approval to a project relating to an amendment to Section Map 10-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(150) to Low Density Residential Zone, R-1, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 10-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(150), to Low Density Residential Zone, R-1.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-570

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (309).

WHEREAS, a verified application for an amendment to Section 28-3-9 of the Zoning Map was filed by Blake Haston on June 1, 1981, to reclassify from Medium High Density Residential Zone, R-3, to Planned-Development Zone, P-D, the following described property:

ALL that certain real property situate in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 8 and 9 in Block 120 of the City of Modesto, including also all of the Northeast one-half of the alley in said Block 120 and the Southwest one-half of 16th Street immediately adjacent to the above described property.

WHEREAS, after public hearing held on June 1, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D zone is in an area which is seeing a resurgence of new office construction.
2. The P-D zone and conditions of approval insure a degree of compatibility consonant with surrounding properties.
3. The granting of P-D zoning in the downtown area will spur innovative quality development.

WHEREAS, after a public hearing held on July 7, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Blake Haston for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2059-C.S. on the 7th day of July, 1981, reclassifying the above-described property from Medium High Density Residential Zone, R-3, to Planned-Development Zone, P-D (309).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(309) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan (and floor plans) titled "Professional Office Building, 16th Street" as amended in red, stamped approved by the Planning Commission on June 1, 1981.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code.

3. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. Prior to occupancy, the developer shall construct full sidewalk on the 16th Street frontage as required by the director of Public Works.

5. The development shall be served by positive storm drainage as required by the Director of Public Works.

6. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

7. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

8. All signs shall comply with the sign requirements of the P-O Zone.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (309):

Construction to begin on or before September 1, 1984, and completion to be not later than September 1, 1985.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (309) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Arnold
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-571

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 28-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (BLAKE HASTON)

WHEREAS, on July 7, 1981, the City Council introduced Ordinance No. 2059-C.S. giving approval to a project relating to an amendment to Section Map 28-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium High Density Residential Zone, R-3, to Planned Development Zone, P-D(309), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 28-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium High Density Residential Zone, R-3, to Planned Development Zone, P-D(309).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-572

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (307).

WHEREAS, a verified application for an amendment to Section 21-3-9 of the Zoning Map was filed by GARY FANT on April 30, 1981, to reclassify from Low Density Residential Zone, R-1, and Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D, the following described property:

R-1 to P-D

All that certain real property situate in a portion of the Southwest quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcel B as shown on that certain parcel map filed in the Office of the Recorder of Stanislaus County, California, on May 7, 1974, in Book 19, of Parcel Maps, at Page 10.

Including also all of Lot 6 and the Southern 56.77 feet of Lot 7 of Palmetto Park, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on January 25, 1939, in Volume 11 of Maps, Page 56.

Including also the Eastern one-half of Melrose Avenue; all of Fairmont Avenue; and the Northwestern one-half of Modesto Irrigation District Lateral No. 4 immediately adjacent to the above described property.

R-2 to P-D

All that certain real property situate in a portion of the Southwest quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcel A as shown on that certain Parcel Map filed in the Office of the Recorder of Stanislaus County, California, on March 8, 1978, in Book 26, of Parcel Maps, at Page 90.

Including also all of Parcel B shown on that certain Parcel Map filed in the Office of the Recorder of Stanislaus County, California, on March 14, 1973, in Book 16 of Parcel Maps, at Page 52.

Including also the Southern one-half of Corson Avenue immediately adjacent to the above described property.

Including also the Northern 160.00 feet of the Western 132.00 feet of Lot 15 of Fairmont Tract, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on December 27, 1911, in Volume 6 of Maps, Page 12.

WHEREAS, after public hearing held on April 30, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D zone will allow an expansion of an existing facility which has shown itself to be a compatible establishment to the area.

2. The proposed expansion is all one story and the site design, new walls and fences, and well located parking areas will maintain this good neighborhood compatibility.

WHEREAS, after a public hearing held on July 7, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Gary Fant for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2061-C.S. on the 7th day of July, 1981, reclassifying the above-described property from Low Density Residential Zone, R-1, and Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D (307).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(307) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan (and floor plans) titled "Plot Plan - Senior Citizen Apartments - Melrose Manor" as amended in red, stamped approved by the Planning Commission on June 1, 1981.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code.

3. Fencing shall be constructed prior to occupancy and along the M.I.D. right-of-way shall be as determined between the applicant and the M.I.D. and a 6 foot solid decorative masonry wall shall be constructed along the remaining periphery except for the street frontages. Prior to the issuance of a building permit for the building addition, the east-west wall section adjacent to the rear yards of 123 and 127 Palmetto Drive shall be constructed.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. Prior to issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the Director of Public Works.

6. Drainage shall be provided as required by the Director of Public Works.

7. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

8. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

9. All utilities shall be underground and cable television service shall be stubbed into all units.

10. All signs shall comply with the sig requirements of the R-2 Zone.

11. Prior to issuance of a building permit, the developer shall pay the City of Modesto the cost of planting street trees, the number as determined by the Director of Public Works.

12. The developer shall dedicate to the City of Modesto a street tree planting easement along the Fairmont frontage as required by the Director of Parks and Recreation.

13. All conditions of Board of Zoning Adjustment Resolutions No. 893, 705, 475 and 470 not in conflict with this action shall remain in full force and effect.

14. This development be designed specifically for occupancy by the elderly, and to the extent permitted by law, occupancy shall be limited to persons 62 years of age and older, their spouses, and persons who are physically handicapped.

15. The applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. Hydrants shall be installed and operable prior to construction of any structures.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (307):

Construction to begin on or before September 1, 1983, and completion to be not later than September 1, 1984.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (307) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Davis
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-573

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 21-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (GARY FANT)

WHEREAS, on July 7, 1981, the City Council introduced Ordinance No. 2061-C.S. giving approval to a project relating to an amendment to Section Map 21-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, and Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(307), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 21-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, and Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(307).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-574

A RESOLUTION ACCEPTING THE BID OF VALLEY ASBESTOS COMPANY FOR THE REPLACEMENT OF APPARATUS DOORS AT FIRE STATION NO. 1

WHEREAS, Resolution No. 81-450, adopted by the Council of the City of Modesto on June 2, 1981, approved the plans and specifications for the replacement of apparatus doors at Fire Station No. 1 and authorized the calling for bids; and

WHEREAS, the bids received for the replacement of apparatus doors at Fire Station No. 1 were opened at 11:00 a.m. on June 23, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Valley Asbestos Company in the amount of $10,615 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Valley Asbestos Company in the amount of $10,615 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-575

A RESOLUTION ACCEPTING THE BID OF GROVER LANDSCAPING FOR THE INSTALLATION OF IRRIGATION SYSTEM AT MANCINI PARK

WHEREAS, Resolution No. 81-452, adopted by the Council of the City of Modesto on June 2, 1981, approved the plans and specifications for the installation of irrigation system at Mancini Park and authorized the calling for bids; and

WHEREAS, the bids received for the installation of irrigation system at Mancini Park were opened at 11:10 a.m. on June 23, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Grover Landscaping in the amount of $45,246 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Grover Landscaping in the amount of $45,246 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-576

A RESOLUTION ACCEPTING THE BID OF CALIFORNIA SPORTS CONSTRUCTION FOR THE INSTALLATION OF PLAY APPARATUS AT MUNCY PARK

WHEREAS, Resolution No. 81-453 adopted by the Council of the City of Modesto on June 2, 1981, approved the plans and specifications for the installation of play apparatus at Muncy Park and authorized the calling for bids; and

WHEREAS, the bids received for the installation of play apparatus at Muncy Park were opened at 11:15 a.m. on June 23, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of California Sports Construction in the amount of $22,840 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of California Sports Construction in the amount of $22,840 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-577

A RESOLUTION ACCEPTING THE BID OF ROY PIPPIN CONSTRUCTION FOR THE CONSTRUCTION OF A BUS FUELING FACILITY

WHEREAS, Resolution No. 81-454, adopted by the Council of the City of Modesto on June 2, 1981, approved the plans and specifications for the construction of a bus fueling facility and authorized the calling for bids; and

WHEREAS, the bids received for the construction of a bus fueling facility were opened at 11:05 a.m. on June 23, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Roy Pippin Construction in the amount of $29,993.90 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Roy Pippin Construction in the amount of $29,993.90 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-578

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $6,000 FROM RESERVE FOR A BUS FUELING FACILITY

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Exigency Reserve (6101.00 8911 65)	$6,000
TO:	Bus Fueling Facility (6577.00 7101 65)	$6,000

Additional funds are required to cover the contract amount plus engineering on the bus fueling facility project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** July, 19 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-579

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DEVENGENZO GARDENING FOR FURNISHING LANDSCAPE MAINTENANCE SERVICE ON CITY PUMP STATIONS AND CITY HALL GROUNDS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Devengenzo Gardening

for furnishing landscape maintenance service on City pump stations and City Hall grounds

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** July, **19** 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-580

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND BIBENS NURSERY FOR FURNISHING LANDSCAPE MAINTENANCE SERVICE ON CITY TRAFFIC ISLANDS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Bibens Nursery

for furnishing landscape maintenance service on City traffic islands

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** July, **19** 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-581

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND GROVER LANDSCAPING FOR FURNISHING LANDSCAPE MAINTENANCE SERVICE ON CITY POLICE GROUNDS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Grover Landscaping

for furnishing landscape maintenance service on City Police grounds

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** July, **19** 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-582

A RESOLUTION ACCEPTING THE CONSTRUCTION OF STREET LIGHT MODERNIZATION, 11TH STREET - "K" STREET TO NEEDHAM STREET AS COMPLETE

WHEREAS, a repcrt has been filed by the Director of Public Works **that the construction of** street light modernization, 11th Street - "K" Street to Needham Street **has been completed by** Industrial Electrical

in accordance with the contract agreement dated December 16, 1980.

NOW, THEREFORE, BE IT RESOLVED that the construction of street light modernization, 11th Street - K to Needham Street **be accepted from said contractor,** Industrial Electrical;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $17,958.80 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** July, 19 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-583

A RESOLUTION ACCEPTING THE BID OF PERVO PAINT COMPANY TO FURNISH ANNUAL TRAFFIC LINE PAINT

WHEREAS, Resolution No. 81-371, adopted by the Council of the City of Modesto on May 12, 1981, approved the plans and specifications for the furnishing of annual traffic line paint and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of annual traffic line paint were opened at 2:00 p.m. on June 9, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Pervo Paint Company be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Pervo Paint Company be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-584

A RESOLUTION ACCEPTING THE BID OF MAC'S BACKHOE SERVICE FOR CONSTRUCTION OF WATERLINE EXTENSION IN KANSAS AVENUE

WHEREAS, Resolution No. 81-481, adopted by the Council of the City of Modesto on June 9, 1981, approved the plans and specifications for the construction of a waterline extension in Kansas Avenue and authorized the calling for bids; and

WHEREAS, the bids received for the construction of a waterline extension in Kansas Avenue were opened at 11:05 a.m. on June 30, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Mac's Backhoe Service in the amount of $25,327 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Mac's Backhoe Service be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-585

A RESOLUTION ACCEPTING THE BID OF IRELAND'S POOLS FOR CONSTRUCTION OF SYLVAN NEIGHBORHOOD PARK TRAINING POOL

WHEREAS, Resolution No. 81-480 adopted by the Council of the City of Modesto on June 9, 1981 , approved the plans and specifications for the construction of the Sylvan Neighborhood Park training pool and authorized the calling for bids; and

WHEREAS, the bids received for the construction of the Sylvan Neighborhood Park training pool were opened at 11:00 a.m. on June 30, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Ireland's Pools in the amount of $48,751 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Ireland's Pools in the amount of $48,751 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July , 1981 , by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-586

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON AN APPEAL BY ALFRED AND EMMA DURAN, MARCELLA RESTAURANT, TO A DECISION OF THE PLANNING COMMISSION CONCERNING SERVICE OF ALCOHOLIC BEVERAGES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that August 4, 1981 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Alfred and Emma Duran, Marcella Restaurant, to a decision of the Planning Commiccion concerning service of alcoholic beverages.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** July, 19 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-587

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON AN APPEAL BY MID-VALLEY ENGINEERING, REPRESENTING DAY-N-NITE MARKETS, TO A BOARD OF ZONING ADJUSTMENT DECISION DENYING AN APPLICATION FOR AN H-1 USE PERMIT AT PRESCOTT AND BUDD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that August 4, 1981 , at 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Mid-Valley Engineering, representing Day-N-Nite Markets, to a Board of Zoning Adjustment decision denying an application for an H-1 Use Permit at Prescott and Budd.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** July, 19 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-588

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON AN APPEAL BY JOSEPH DIGIOVANNI TO A BOARD OF ZONING ADJUSTMENT DECISION REGARDING A VARIANCE FOR PARKING RECREATIONAL VEHICLE AND BOAT AT 1101 MONTE CRISTO

BE IT HEREBY RESOLVED by the Council of the City of Modesto that August 4, 1981 , at 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Joseph DiGiovanni to a Board of Zoning Adjustment decision regarding a variance for parking recreational vehicle and boat at 1101 Monte Cristo.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** July, 19 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-589

A RESOLUTION ESTABLISHING PROCEDURE FOR PAYMENT OF UNIFORM ALLOWANCE FOR POLICE DEPARTMENT PERSONNEL

WHEREAS, it is in the City's interest to provide separately from regular salary a reasonable reimbursement for the maintenance of uniforms required in the Police Department,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. UNIFORM ALLOWANCE. Sworn police personnel shall be paid Thirty-two and 50/100ths ($32.50) Dollars per calendar month of service, as a uniform allowance, said sum to be paid quarterly at the end of March, June, September and December each year.

Animal Control Officer shall be paid Ten and no/100ths ($10.00) Dollars per calendar month of service, as a uniform allowance, said sum to be paid as stated in Paragraph 1 of this section.

Community Service Officer shall be paid Thirty and no/100ths ($30.00) Dollars per calendar month of service, as a uniform allowance, said sum to be paid as stated in Paragraph 1 of this section.

Non-sworn office personnel who are authorized by the Chief of Police to wear a uniform and who wear an approved uniform shall be paid Ten and no/100ths ($10.00) Dollars per calendar month of service, as a uniform allowance, said sum to be paid as stated in Paragraph 1 of this section.

No uniform allowance shall be paid to personnel during the first six (6) months of city service, but said allowance shall be withheld and shall accrue to the benefit of said employee to be paid at the end of the second regular full quarter, provided, however, that no payment shall be made to personnel who terminate employment prior to or at the end of the first six (6) months of service.

For the purpose of computing the above allowances, one-half (1/2) or less of a month shall not be counted.

SECTION 2. The Chief of Police shall submit a signed report to the Director of Finance at the end of each calendar quarter showing, by the month, the names of department personnel eligible to receive the uniform maintenance allowance.

SECTION 3. Uniform allowance shall not accrue to persons not specifically included in this resolution.

SECTION 4. The City Manager is authorized to establish rules for the equitable administration of this allowance.

SECTION 5. This resolution shall be effective retroactively to July 1, 1981.

SECTION 6. Resolution No. 81-554 adopted on June 23, 1981, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-590

A RESOLUTION APPROVING THE FINAL MAP OF THE VALENCIA PLAZA UNIT 3 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Joaquin Construction Co., Inc., a corporation,

is ~~(are)~~ possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 8.366 acres, known as the Valencia Plaza Unit 3 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 21st day of July, 1980, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Valencia Plaza Unit 3 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Council-

member Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-591

A RESOLUTION APPROVING THE FINAL MAP OF THE ORCHARD GROVE NO. 1 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, M.T. VERNON INVESTMENT GROUP, a California Limited Partnership

is (~~a/an~~) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 18.288 acres, known as the Orchard Grove No. 1 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 7th day of January, 19 80, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Orchard Grove No. 1 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Council-

member Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-592

A RESOLUTION APPROVING THE FINAL MAP OF THE ORCHARD GROVE NO. 2 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, MT. VERNON INVESTMENT GROUP, a California Limited Partnership, is/~~are~~ possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 1.857 acres, known as the Orchard Grove No. 2 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 7th day of January, 1980, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Orchard Grove No. 2 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct, and

WHEREAS, all public improvements required by the City of Modesto in said tract will be made and constructed as a part of Orchard Grove No. 1 Subdivision,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved, and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

Noes: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwin L. Johnson
ELWIN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-593

A RESOLUTION APPROVING THE FINAL MAP OF THE
ORCHARD GROVE NO. 3
SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, MT. VERNON INVESTMENT GROUP, a California Limited Partnership, is possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 2.110 acres, known as the Orchard Grove No. 3 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 7th day of January, 1980, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Orchard Grove No. 3 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct, and

WHEREAS, all public improvements required by the City of Modesto in said tract will be made and constructed as a part of Orchard Grove No. 1 Subdivision,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved, and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

Noes: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-594

A RESOLUTION APPROVING THE FINAL MAP OF THE
ORCHARD GROVE NO. 4
SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, MT. VERNON INVESTMENT GROUP, a California Limited Partnership, is~~/are~~ possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 1.677 acres, known as the Orchard Grove No. 4 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 7th day of January, 1980, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Orchard Grove No. 4 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct, and

WHEREAS, all public improvements required by the City of Modesto in said tract will be made and constructed as a part of Orchard Grove No. I Subdivision,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved, and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

Noes: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-595

A RESOLUTION APPROVING THE FINAL MAP OF THE
ORCHARD GROVE NO. 5
SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, MT. VERNON INVESTMENT GROUP, a California Limited Partnership, is possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 2.295 acres, known as the Orchard Grove No. 5 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 7th day of January, 1980, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Orchard Grove No. 5 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct, and

WHEREAS, all public improvements required by the City of Modesto in said tract will be made and constructed as a part of Orchard Grove No. 1 Subdivision,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved, and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Mensinger

Noes: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-596

A RESOLUTION APPROVING THE FINAL MAP OF THE ORCHARD GROVE NO. 6 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, MT. VERNON INVESTMENT GROUP, a California Limited Partnership, is possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 1.491 acres, known as the Orchard Grove No. 6 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 7th day of January, 1980, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Orchard Grove No. 6 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct, and

WHEREAS, all public improvements required by the City of Modesto in said tract will be made and constructed as a part of Orchard Grove No. 1 Subdivision,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved, and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

Noes: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Ellyn E. Johnson
ELLYN E. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-597

A RESOLUTION APPROVING THE FINAL MAP OF THE
ORCHARD GROVE NO. 7
SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, MT. VERNON INVESTMENT GROUP, a California Limited Partnership, is~~are~~ possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 1.701 acres, known as the Orchard Grove No. 7 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 7th day of January, 1980, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Orchard Grove No. 7 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct, and

WHEREAS, all public improvements required by the City of Modesto in said tract will be made and constructed as a part of Orchard Grove No. 1 Subdivision,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved, and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

Noes: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-598

A RESOLUTION APPROVING THE FINAL MAP OF THE ORCHARD GROVE NO. 8 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, MT. VERNON INVESTMENT GROUP, a California Limited Partnership, is possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 1.907 acres, known as the Orchard Grove No. 8 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 7th day of January, 1980, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Orchard Grove No. 8 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct, and

WHEREAS, all public improvements required by the City of Modesto in said tract will be made and constructed as a part of Orchard Grove No. 1 Subdivision,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved, and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

Noes: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-599

A RESOLUTION ACCEPTING IMPROVEMENTS IN FARA ESTATES SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Fara Associates, subdividers of Fara Estates Subdivision, have filed subdivision bonds for faithful performance and labor and materials in the amount of $ 457,900.00 and $ 228,950.00 respectively to guarantee improvements in Fara Estates Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated June 19, 1981, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the subdivision bonds upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Fara Estates Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the subdivision bond for faithful performance in the amount of $ 457,900.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the subdivision bond for labor and materials in the amount of $ 228,950.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981 by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-600

A RESOLUTION AUTHORIZING THE FILING OF A GRANT APPLICATION WITH CALTRANS FOR PARTIAL FUNDING OF THE DOWNTOWN TRANSPORTATION CENTER

BE IT RESOLVED by the Council of the City of Modesto that the submission of an application to Caltrans requesting $500,000 to cover 25% of the estimated $2 million for the land acquisition and construction of the Downtown Transportation Center be, and hereby is, approved.

BE IT FURTHER RESOLVED that the execution of the application by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-601

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND FRANCES N. PARSONS FOR THE ACQUISITION OF 960+ SQUARE FEET OF HER PROPERTY NEEDED FOR THE SIDEWALKS - SUNRISE-LUCERN TO NORWEGIAN PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Frances N. Parsons **for** the acquisition of 960+ square feet of her property needed for the sidewalks - Sunrise-Lucern to Norwegian project **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** July, **19** 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-602

A RESOLUTION ORDERING THE SUNSET AVENUE GOVERNMENTAL REORGANIZATION TO THE CITY OF MODESTO WITHOUT NOTICE, HEARING, OR ELECTION.

WHEREAS, a petition signed by all of the owners of land residing within that certain territory known as the Sunset Avenue Annexation in the County of Stanislaus requesting annexation of the Sunset Avenue Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated June 17, 1981 approved said annexation to the City of Modesto upon condition that it be processed as a Governmental Reorganization pursuant to the provisions of Division 1 of Title 6 of the Government Code of the State of California, and designated said Governmental Reorganization the Sunset Avenue Governmental Reorganization, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution ordered that said Governmental Reorganization consist of (a) the annexation of said territory to the City of Modesto; (b) the detachment of said territory from the Burbank-Paradise Fire Protection District; and (c) the annexation of said territory to the Modesto Municipal Sewer District; and that the territory be subject to the bonded indebtedness of the Sewer District, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution ordered that a negative declaration be filed as to the environmental effect of the subject Governmental Reorganization, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution designated the City of Modesto as the conducting authority for said Governmental Reorganization and authorized the Council of the City of Modesto to proceed without notice, hearing or election pursuant to section 56261 of the Government Code of the State of California,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the District Reorganization Act of 1964, as amended, have been complied with.

2. That the area or territory designated as the Sunset Avenue Governmental Reorganization is more particularly described as attached hereto and made a part hereof by reference as though set forth in full herein.

3. Said territory is hereby annexed to and made a part of the City of Modesto.

4. Said territory is hereby detached from the Burbank-Paradise Fire Protection District.

5. Said territory is hereby annexed to the Modesto Municipal Sewer District No. 1. Said territory shall be subject to the authorized or existing bonded indebtedness of the Sewer District.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, a certified copy of this resolution, stating the date of its passage and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the Executive Officer of the Stanislaus County Local Agency Formation Commission together with a payment of all fees required by section 56450 of the California Government Code.

BE IT FURTHER RESOLVED that pursuant to section 56454 of the California Government Code, this Governmental Reorganization shall be effective on the date of execution of the certificate of completion by the Executive Officer of the Stanislaus County Local Agency Formation Commission.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of this Governmental Reorganization is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of said Governmental Reorganization.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

SUNSET AVENUE GOVERNMENTAL REORGANIZATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southwestern corner of the BALL PARK - GOLF COURSE ADDITION (9) as per description filed February 21, 1940, as Instrument 1997, Stanislaus County Records, said point being the Southeastern corner of Lot 56 of the FIRST ADDITION TO SUNSET ACRES, as per map filed March 18, 1911 in Volume 5 of Maps, Page 27, Stanislaus County Records;

1. thence along the existing City Limits and the Eastern line of Lots 56, 57 and 58 of said First Addition to Sunset Acres Subdivision, North, 466.00 feet, to the Southeastern corner of the SMALL ADDITION (153), as per description filed May 14, 1963 as Instrument 18494, Stanislaus County Records;

2. thence continuing along the existing City Limits along the Southern line of said Addition (153), South 89° 45' West, 300.00 feet, to the Southwestern corner of said Addition (153);

3. thence continuing along the existing City Limits along the Western line of said Addition (153), North, 194.00 feet, to the Northwestern corner of Addition (153);

4. thence continuing along the existing City Limits along the Northern line of said Addition (153), North 89° 45' East, 300.00 feet, to the Northeastern corner of Addition (153) and a point on a Western line of Addition (9);

5. thence continuing along the existing City Limits along a Western line of said Addition (9), North, 396.00 feet, to the Northeastern corner of Lot 62 of said First Addition to Sunset Acres Subdivision;

6. thence continuing along the existing City Limits along a Southern line of said Addition (9), South 89° 45' West, 165.00 feet, to a Southwestern corner of said Addition (9), said corner being the Southeastern corner of Lot 63 of said First Addition to Sunset Acres Subdivision;

7. thence continuing along the existing City Limits along a Western line of said Addition (9) and the Western line of said Lot 63, North, 264.00 feet, to the Northeastern corner of Lot 63 and a point on the Original City Limits;

8. thence continuing along the existing City Limits along the Southern line of the Original City Limits and the Northern line of Lot 63, South 89° 45' West, 165.00 feet, to the Northwestern corner of Lot 63, said corner being on the centerline of 60.00 foot Sunset Avenue.

9. thence leaving the existing City Limits and along said center line of Sunset Avenue, said center line also being on the North-South quarter section line of said Section 5, South, 1320.00 feet, to a point on the Northern line of the ROUSE ADDITION (215), as per description filed June 4, 1968,as Instrument 17171, Stanislaus County Records, said point also being the Southwestern corner of Lot 56;

10. thence along the existing City Limits along the Northern line of said Addition (215) and the Southern line of Lot 56, said line also being the North line of the Southwest quarter of the Northeast quarter of Section 5, North 89° 45' East, 330.00 feet, to the point of beginning, containing 7.664 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-603

A RESOLUTION ORDERING THE LEGION PARK NUMBER 2 GOVERNMENTAL REORGANIZATION TO THE CITY OF MODESTO WITHOUT NOTICE, HEARING, OR ELECTION.

WHEREAS, a petition signed by all of the owners of land residing within that certain territory known as the Legion Park Number 2 Annexation in the County of Stanislaus requesting annexation of the Legion Park Number 2 Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated June 17, 1981, approved said annexation to the City of Modesto upon condition that it be processed as a Governmental Reorganization pursuant to the provisions of Division 1 of Title 6 of the Government Code of the State of California, and designated said Governmental Reorganization the Legion Park Number 2 Governmental Reorganization, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution ordered that said Governmental Reorganization consist of (a) the annexation of said territory to the City of Modesto; (b) the detachment of said territory from the Empire Fire Protection District; and (c) the annexation of said territory to the Modesto Municipal Sewer District; and that the territory be subject to the bonded indebtedness of the Sewer District, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution ordered that a negative declaration be filed as to the environmental effect of the subject Governmental Reorganization, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution designated the City of Modesto as the conducting authority for said Governmental Reorganization and authorized the Council of the City of Modesto to proceed without notice, hearing or election pursuant to section 56261 of the Government Code of the State of California,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the District Reorganization Act of 1964, as amended, have been complied with.

2. That the area or territory designated as the Legion Park Number 2 Governmental Reorganization is more particularly described as attached hereto and made a part hereof by reference as though set forth in full herein.

3. Said territory is hereby annexed to and made a part of the City of Modesto.

4. Said territory is hereby detached from the Empire Fire Protection District.

5. Said territory is hereby annexed to the Modesto Municipal Sewer District No. 1. Said territory shall be subject to the authorized or existing bonded indebtedness of the Sewer District.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, a certified copy of this resolution, stating the date of its passage and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the Executive Officer of the Stanislaus County Local Agency Formation Commission together with a payment of all fees required by section 56450 of the California Government Code.

BE IT FURTHER RESOLVED that pursuant to section 56454 of the California Government Code, this Governmental Reorganization shall be effective on the date of execution of the certificate of completion by the Executive Officer of the Stanislaus County Local Agency Formation Commission.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of this Governmental Reorganization is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of said Governmental Reorganization.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

LEGION PARK NO. 2
GOVERNMENTAL REORGANIZATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 33 and the Southwest quarter of Section 34, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southwestern corner of the TUOLUMNE REGIONAL PARK NO. 1 ADDITION (323) as per description filed November 19, 1974 as Instrument 19675, Stanislaus County Records, said point being on the centerline of 60 foot Santa Cruz Avenue South;

1. thence along the existing City Limits and along the center line of Santa Cruz Avenue South on the Western boundary of said Addition (323), North 00° 41' 00" West, 480.85 feet;

2. thence leaving the existing City Limits and the center line of Santa Cruz Avenue South, South 89° 35' 00" West, 191.79 feet, to the section line common to said Sections 33 and 34;

3. thence continuing South 89° 35' 00" West, 50.00 feet;

4. thence South 00° 40' East, 75.00 feet;

5. thence South 89° 54' West, 230.00 feet;

6. thence South 00° 40' East, 100.00 feet;

7. thence North 89° 54' East, 80.00 feet;

8. thence South 00° 40' East, 370.71 feet, to the center line of the Tuolumne River and a point on a Northern boundary of the LEGION PARK ADDITION (218), as per description filed July 12, 1968 as Instrument 21315, Stanislaus County Records;

9. thence along the existing City Limits along said Northern line of said Addition (218) and said center line of the Tuolumne River, South 56° 39' 30" East, 241.20 feet, to a point on a Western line of said Addition (218) and the section line common to Sections 33 and 34;

10. thence continuing along the existing City Limits along a Western line of said Addition (218) and said section line common to Sections 33 and 34, North 00° 40' West, 200.86 feet, to a Northwestern corner of Addition (218);

11. thence continuing along the existing City Limits on the boundary of said Addition (218) the following bearings and distances, East, 105.00 feet;

12. thence South 57° 34' 15" East, 68.04 feet;

13. thence North 00° 41' 00" West, 57.59 feet;

14. thence South 53° 22' 30" East, 37.71 feet, to the point of beginning, containing 4.862 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-604

A RESOLUTION INITIATING PROCEEDINGS FOR THE PROPOSED ANNEXATION OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS WOODLAND-BENNETT ANNEXATION, AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by the owners of real property within territory in the County of Stanislaus requesting annexation of the Woodland-Bennett Annexation was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by resolution dated June 17, 1981, determined that said territory is uninhabited and approved the initiation of proceedings for annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code, a copy of which resolution is attached hereto as Exhibit A and made a part hereof by reference, and

WHEREAS, the terms and conditions of the proposed annexation, if any, are set forth in said resolution, and

WHEREAS, the reason or reasons for the proposed annexation in the proposal thereof submitted to the Commission are set forth in page 5 of the application, which page is attached hereto as Exhibit B and made a part hereof by reference, and

WHEREAS, the chief petitioners requesting said annexation as set forth in the application filed with the Commission are:

Name	Address
Dorothy Bearden	747 South 9th Street, Modesto, CA
Evelyn Nevitt	747 South 9th Street, Modesto, CA
Neil Van Duyn	6037 Kiernan Avenue, Modesto, CA

and

WHEREAS, the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situated in the County of Stanislaus, State of California, and has been designated as Woodland-Bennett Annexation, the exterior boundaries of which are set forth in the description attached hereto as Exhibit C and made a part hereof by reference, and

WHEREAS, no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described territory to the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED AND NOTICE IS HEREBY GIVEN that the 4th day of August, 1981, at the hour of 4:00 o'clock P.M. in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto be and is hereby fixed as the time and place for considering said annexation, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed.

1. Any such protest must be in writing, must be filed with the City Clerk at any time before the conclusion of the hearing on the proposed annexation, and must give the name and address of the owner of real property within such territory with the description and area of such property, in general terms.

2. The City Clerk shall cause a copy of this resolution to be published at least twice, but not more often than once a week in The Modesto Bee, a newspaper

of general circulation, published in the City of Modesto and in the County of Stanislaus and being the official newspaper of the City of Modesto. Said publications shall be commenced at least fifteen (15) days prior to the date set for the hearing.

3. The City Clerk of the City of Modesto shall also cause a copy of this resolution to be mailed to:

(a) Any person who has filed his name and address with the City Clerk and has requested such mailed notice;

(b) The chief petitioners, if any, as indicated in the petition initiating proceedings;

(c) To each affected city, county, and district; and

(d) To the executive officer of the Local Agency Formation Commission.

4. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger, Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

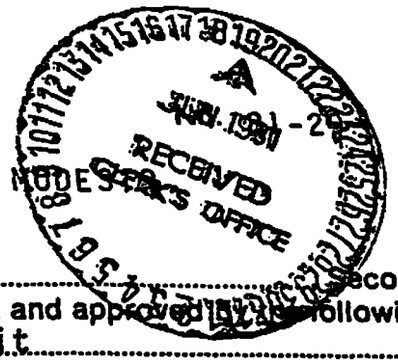
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Roos Campbell
Public Works Department

FORMATION COMMISION

RESOLUTION



Date: JUNE 17, 1981

Subject: WOODLAND-BENNETT ANNEXATION TO THE CITY OF MODESTO

On motion of Commissioner Draper, seconded by Commissioner Garcia, and approved by the following vote,
Ayes: Commissioners: Draper, Garcia, Cannella & Condit
Noes: Commissioners: -
Absent: Commissioners: Ulm & Starn
Disqualified: Commissioners: Muratore
Abstaining: Commissioners: -

THE FOLLOWING RESOLUTION WAS ADOPTED:

WHEREAS, the Commission has conducted a public hearing on the proposed Woodland-Bennett Annexation to the City of Modesto

WHEREAS, notice of the said public hearing was given pursuant to Section 35055 of the California Government Code; and

WHEREAS, the Commission has, in evaluating the proposal, considered the report submitted by the Executive Officer and the factors set forth in Section 54796 of the California Government Code;

NOW, THEREFORE, BE IT RESOLVED that the Commission:

1. Certify that it has considered the Negative Declaration recommended by the County Environmental Review Committee;

2. Find that: (a) the territory involved in the proposal is uninhabited; (b) the proposal is consistent with all applicable local general plans; (c) the territory involved is within an area that is committed to urbanization; (d) the approval of the proposal would not have a significant effect on the environment; and (e) the approval of the proposal would further the eventual elimination of an unincorporated "island."

3. Order that the Negative Declaration be issued;

4. Designate the proposal as the Woodland-Bennett Annexation to the City of Modesto;

5. Approve the proposal as submitted; and

6. Designate the City of Modesto as the conducting authority, and direct its city council to initiate annexation proceedings.

I hereby certify that the foregoing is a true and correct copy of a document on file in my office.

[illegible] HUTCHINS
Executive Officer, Stanislaus County
Local Agency Formation Commission

By [signature]

Exhibit A

VIII. PROPONENTS' STATEMENT

A. State the reason(s) why the proponent(s) feel the annexation should be approved. (Note: this statement or a synopsis of it, will be included in the written report which is submitted to LAFCO.)

We wish to annex to the city of Modesto so we can have city services and develope the property for the best use.

Exhibit "C"

February 23, 1981

CITY OF MODESTO
WOODLAND-BENNETT
ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 24, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described ad follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the ROSEMORE-WOODLAND ADDITION (347) as per description filed October 14, 1976, as Instrument 19721, Stanislaus County Records, said point being on the South line of Section 24 and the center line of 40 foot Woodland Avenue;

1. thence along the existing City Limits on the boundary of ADDITION (347) the following bearings and distances, North 01° 66' 52" West, 190.00 feet;

2. thence North 88° 36' 41" East, 15.00 feet;

3. thence North 01° 06' 52" West, 173.00 feet;

4. thence North 88° 36' 41" East, 118.00 feet;

5. thence North 01° 06' 52" West, 300.84 feet;

6. thence leaving the existing City Limits, North 88° 34' 55" East, 155.00 feet;

7. thence South 01° 06' 52" East, 663.92 feet, to the South line of Section 24 and the center line of 40 foot Woodland Avenue;

8. thence along said South line and center line, South 88° 36' 41" West, 288.00 feet, to the point of beginning, containing 3.411 Acres, more or less.

Exhibit C

MODESTO CITY COUNCIL
RESOLUTION NO. 81-605

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON THE DESIGN OF THE RECONSTRUCTION OF SCENIC DRIVE BETWEEN THE COUNTY HOSPITAL AND SONOMA

BE IT HEREBY RESOLVED by the Council of the City of Modesto that July 21, 1981, at 4:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of the design of the reconstruction of Scenic Drive between the County Hospital and Sonoma.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-606

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND INDUSTRIAL INDEMNITY INSURANCE COMPANY FOR CURRENT REAL AND PERSONAL PROPERTY INSURANCE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Industrial Indemnity Insurance Company **for** current real and personal property insurance to expire July 15, 1982

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** July, **19** 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-607

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (310).

WHEREAS, a verified application for an amendment to Section 12-3-8 of the Zoning Map was filed by Kelly Brothers Development on April 30, 1981, to reclassify from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D, the following described property:

Lot 1 and Lot 2, Block 13530 Vinewood Subdivision, recorded in Book 28 of Maps, at page 21, Stanislaus County Records, in Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, located in the City of Modesto, Stanislaus County, California.

Including also all of Standiford Avenue, the southern 50 feet of Modesto Irrigation Lateral No. 7, the northern 55 feet of the Hetch Hetchy right-of-way, and the western 20 feet of Conant Avenue immediately adjacent to the above described property.

WHEREAS, after public hearing held on June 15, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D zoning will allow the precise development as has already been approved except that it can be constructed and sold as condominiums instead of allowing rental occupancy only.

2. The conditions of approval provide for development and maintenance to insure compatibility with surrounding properties.

WHEREAS, after a public hearing held on July 14, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Kelly Brothers Development for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2062-C.S. on the 14th day of July, 1981, reclassifying the above-described property from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D (310).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(310) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan and floor plans titled "Irish Heights - Plot Plans for P-D Application" as amended in red, stamped approved by the Planning Commission on June 15, 1981.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code.

3. Fencing shall be constructed prior to occupancy and shall be as follows:

   7-foot solid wall or fence around all rear yard patios.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. All private streets and parking areas shall be constructed in accordance with the standard structural section for residential streets as contained in the City of Modesto Standard Specifications.

6. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

7. All utilities shall be underground and cable television service shall be stubbed into all units.

8. All signs shall comply with the sign requirements of the R-2 Zone.

9. Prior to issuance of a building permit for any structure, a subdivision map shall be recorded.

10. All curbcuts serving two-way driveways shall be widened to 30 feet in width.

11. The applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. Hydrants shall be installed and operable prior to construction of any structures.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (310):

Construction to begin on or before September 1, 1983, and completion to be not later than September 1, 1984.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (310) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Patterson

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Davis
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-608

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 12-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (KELLY BROTHERS DEVELOPMENT)

WHEREAS, on July 14, 19 81, the City Council introduced Ordinance No. 2062-C.S. giving approval to a project relating to an amendment to Section Map 12-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(310), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 12-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(310).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-609

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WHEELCHAIR RAMPS AT VARIOUS LOCATIONS AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** wheelchair ramps at various locations **has been completed by** George Reed, Inc.

in accordance with the contract agreement dated May 5, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of wheelchair ramps at various locations **be accepted from said contractor,** George Reed, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $25,570 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th **day of** July, **19**81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-610

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WHEELCHAIR RAMPS AT VARIOUS CITY PARKS AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** wheelchair ramps at various City parks **has been completed by** George Reed, Inc.

in accordance with the contract agreement dated April 14, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of wheelchair ramps at various City parks **be accepted from said contractor,** George Reed, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $9,576 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th **day of** July, **19**81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-611

A RESOLUTION ACCEPTING THE CONSTRUCTION OF MUNCY PARK LANDSCAPING AND IRRIGATION AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** Muncy Park landscaping and irrigation **has been completed by** Bibens Nursery Company

in accordance with the contract agreement dated August 12, 1980.

NOW, THEREFORE, BE IT RESOLVED that the construction of Muncy Park landscaping and irrigation **be accepted from said contractor,** Bibens Nursery Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $74,468.72 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th **day of** July, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-612

A RESOLUTION ACCEPTING THE CONSTRUCTION OF UTILITY BUILDING AT SONOMA PARK AS COMPLETE

WHEREAS, a repcrt has been filed by the Director of Public Works that the construction of utility building at Sonoma Park has been ccmpleted by William M. Mineni

in accordance with the contract agreement dated February 12, 1980.

NOW, THEREFORE, BE IT RESOLVED that the construction of utility building at Sonoma Park be accepted from said contractor, William M. Mineni;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $68,511.40 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: **Councilmembers:** Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-613

A RESOLUTION ACCEPTING THE CONSTRUCTION OF STANDIFORD AVENUE - MID LATERAL #7 TO PRESCOTT AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of Standiford Avenue - MID Lateral #7 to Prescott has been completed by Lee White Paving Company in accordance with the contract agreement dated February 17, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of Standiford Avenue - MID Lateral #7 to Prescott be accepted from said contractor, Lee White Paving Company; that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $24,241.72 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-614

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MICHAEL L. CHAMBERS FOR SEWER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 430 SPRUCE STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Michael L. Chambers

for sewer service to property outside City limits at 430 Spruce Street, located on the north side of Spruce St. between Marshall Ave. and Franklin **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th **day of** July, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-515

A 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.

WHEREAS, pursuant to Section 4614.13 of the Health and Safety Code, notice is required to be given on or before the 15th day of July of each year by the City of Modesto to the Board of Supervisors of the County of Stanislaus of the amount of money needed to be raised through taxation for the payment of principal and interest on bonds of the Modesto Municipal Sewer District No. 1, and

WHEREAS, pursuant to Section 4614.13 of the Health and Safety Code, the City of Modesto has determined that the total amount needed by it for the payment of principal and interest on the bonds of the Modesto Municipal Sewer District No. 1 is $445,980.00, and

WHEREAS, the City of Modesto desires that the Board of Supervisors of the County of Stanislaus levy and collect taxes upon the taxable property in said Modesto Municipal Sewer District No. 1 sufficient to raise the amount which is so certified, and that the County Auditor, in accordance with Section 4614.13, compute the rate of taxation needed to raise the sum of $445,980.00 for the payment of principal and interest on the bonds of said district,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, in accordance with the above-mentioned Section 4614.13 of the Health and Safety Code, that it does hereby certify to the Board of Supervisors of the County of Stanislaus that the amount of $445,980.00 is needed by the City of

Modesto for the payment of principal and interest on the bonds of the Modesto Municipal Sewer District No. 1.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that it requires the Board of Supervisors of the County of Stanislaus to levy and collect taxes upon the taxable property in said Modesto Municipal Sewer District No. 1 sufficient to raise the amount of $445,980.00 and that it requests the County Auditor of said county to compute the rate of taxation needed to raise the sum of $445,980.00 for the payment of principal and interest on the bonds of said district.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-616

A RESOLUTION DECLARING A STATE OF URGENCY, WAIVING FORMAL BID PROCEDURES, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE COMPLETION OF PHASE II OF COMMERCIAL ALLEY IMPROVEMENTS IN THE EVENT OF A DEFAULT ON THE CURRENT AGREEMENT.

WHEREAS, by Resolution No. 80-1008 the bid of American Asphalt Specialists to complete the Commercial Alley Improvement--Phase II project was accepted, and a contract was entered into, and

WHEREAS, it appears American Asphalt Specialists may default upon said agreement by failing to timely complete the project and maintain liability insurance as required by the agreement, and

WHEREAS, in the event American Asphalt Specialists does not obtain such insurance by July 16, 1981, the agreement may be suspended by the City Manager in accordance with Section 8.6 of the Standard Specifications of the City of Modesto, and

WHEREAS, the Council of the City of Modesto finds and determines that:

1. Acquiring formal bids in the event of a default for the completion of this project would require approximately one and one half (1 1/2) to two (2) months time.

2. That the project is currently over one (1) month beyond the completion date, and that any further delays will cause extreme economic hardship to the businesses abutting the alleys which have been and are unable to utilize the alleys for accustomed access.

3. That in the event of a default by American Asphalt Specialists, a state of urgency will exist within the meaning of Section 1307 of the Charter of the City of Modesto, and that it is of urgent necessity to the preservation of property that in such an event the contract be relet without advertising for bids; and

WHEREAS, Morrow & Wagonner, Inc. is willing to enter into an agreement to complete the work for the cost of $59,371.80, which cost the Council finds to be reasonable,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that:

1. In the event of a default by American Asphalt Specialists a state of urgency will exist within the meaning of Section 1307 of the Charter of the City of Modesto, and that it will be of urgent necessity to the preservation of property that the contract be relet without advertising for bids,

2. In such an event formal bid procedures are hereby waived, and

3. In such an event the City Manager is authorized to enter into an Agreement with Morrow & Waggoner, Inc. for the completion of the Commercial Alley Improvements--Phase II project for the sum of $59,371.80.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1981, by Councilmember Murator, who moved its adoption, which motion being

duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Murator, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-617

A RESOLUTION CANCELING A CONTRACT BETWEEN THE CITY OF MODESTO AND BACHE, HALSEY, STUART, SHIELDS, INC. FOR PRELIMINARY UNDERWRITING SERVICES IN REGARD TO TAX-EXEMPT MORTGAGE REVENUE BONDS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Bache, Halsey, Stuart, Shields, Inc., approved by City Council Resolution No. 80-1109, adopted October 28, 1980, for preliminary underwriting services in regard to tax-exempt mortgage revenue bonds be, and it is hereby canceled.

BE IT FURTHER RESOLVED that the execution of the cancellation of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	Muratore
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-618

RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES INCLUDING AN AVIGATION EASEMENT FOR MODESTO CITY-COUNTY AIRPORT/HARRY SHAM FIELD (ADKISON).

(Name of Project and Property Owners Name)

WHEREAS, on July 16, 19 81, the Council of the City of Modesto by Resolution No. 81-507 set a hearing to consider a resolution of necessity to acquire certain real property, hereinafter described, and

WHEREAS, on July 21, 1981, the Council held a hearing in the City Council Chambers, City Hall, 801 Eleventh Street, Modesto, in order to determine the necessity for acquisition of said real property by eminent domain proceedings for purposes of acquiring an avigation easement for Modesto City County Airport/Harry Sham Field,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The public interest and necessity require said project and require the acquisition of said real property for the purpose stated.

2. The taking of real property for municipal purposes by eminent domain proceedings is authorized by Government Code Sections 37350.5, 37351, and 50470, Public Utilities Code Section 21652, and Code of Civil Procedure Sections 1240.050, 1240.110, and 1240.125.

3. The proposed project is planned and located in a manner which will be most compatible with the greatest public good and the least private injury.

4. The real property which is hereinafter described consists of an avigation easement affecting approximately 0.14 acre of Assessor's Parcel No. 39-8-3 and is necessary for the proposed project.

BE IT FURTHER RESOLVED that the City Attorney be and is hereby authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of California, County of Stanislaus, as are necessary to acquire, for the purposes and uses aforesaid, that certain real property which is situated in the County of Stanislaus, and outside the City of Modesto, State of California, more particularly described as follows:

An easement for avigation purposes over that parcel of real property shaded in yellow and identified as Parcel H 1 on the map attached hereto as Exhibit "A", said parcel being that certain tract of land situated in Section 2, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, Stanislaus County, California, more particularly described as follows:

All that portion of the following described land lying Northeasterly of the following described line:

COMMENCING at the Southeast corner of said Section 2; thence North 0° 46' 49" East along the East line of said Section 2, a distance of 2299.17 feet to the TRUE POINT OF BEGINNING of the line to be described; thence North 47° 04' 20" West, 1,944.74 feet to the terminus point of the line to be described.

ALL that portion of the East half of Section 2, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

THE East 160 feet (measured at right angles to the East line thereof) of the following described property:

COMMENCING at the U.S. Meander corner on the South bank of the Tuolumne River, said meander corner being North 0° 29' 40" East 29.991 chains from the Southeast corner of Section 2, above Township and Range; thence North 38° 39' West 10.00 chains; thence North 83° 49' West 7.758 chains to the Southeast corner of the property conveyed to P.E. Pearson by Deed recorded January 25, 1937, as Instrument No. 1061; thence North 0° 06' 30" East and along the East line of said P.E. Pearson property, 4.50 chains to the true point of beginning of this description; thence continuing North 0° 06' 30" East and along the East line of said P.E. Pearson property, a distance of 5.667 chains, more or less,

to the South bank of the Tuolumne River; thence North 69° 02' West and along the South bank of the Tuolumne River, 1.773 chains to a point; thence continuing along the South bank of the Tuolumne River, South 85° 29' West, a distance of 4.468 chains, more or less, to the Northwest corner of said P.E. Pearson property; thence South 0° 06' 30" West along the quarter quarter section line and along the West line of said P.E. Pearson property, a distance of 6.03 chains, more or less, to the Northwest corner of the property conveyed to Melvin Pearson, et ux, by Deed recorded April 12, 1939, as Instrument No. 4412; thence South 88° 14' 30" East and along the North line of said Melvin Pearson property and along the North line of the property conveyed to Logan Press Laam, by Deed recorded May 8, 1940, as Instrument No. 5117, a distance of 3.365 chains, more or less, to the Northeast corner of said Laam property; thence South 0° 06' West and along the East line of said Laam property, a distance of 0.596 chains to a point; thence North 74° 06' 30" East, a distance of 2.851 chains to the true point of beginning.

Said easement being an easement for avigation purposes preventing the erection or growth of any structure, tree or other object within that portion of parcel H1 which lies within the Southeasterly clear zone approach area of the 5910 foot runway, which area is identified on the aforementioned Exhibit "A", to a height above the clear zone approach surface for that approach area, as also identified on said Exhibit "A", said clear zone approach surface being an inclined plane with a slope of 50:1 (one foot of elevation for each 50 feet of horizontal distance) located directly above the clear zone approach area.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call

carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
GEORGE H. EISER III
Assistant City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

Reso 81-618
Exhibit A – Map

Oversized map folded and bound within Resolution Book, Volume 133.
Unable to remove safely for scanning.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-619

A RESOLUTION GRANTING IN PART AND DENYING IN PART THE APPEAL FILED BY ERNEST SETLIFF ON BEHALF OF SETLIFF BROTHERS TO A DECISION OF THE BOARD OF ZONING ADJUSTMENT RELATING TO CERTAIN CONDITIONS IMPOSED BY THE BOARD OF ZONING ADJUSTMENT IN GRANTING A CONDITIONAL USE PERMIT IN THE H-1 ZONE.

WHEREAS, an application for a conditional use permit in the H-1 Zone for a combination retail store, gas station and self-service carwashing facility, on the southerly corner of 7th Street and Tuolumne Boulevard, was filed by Setliff Brothers on October 3, 1980, and

WHEREAS, Sections 10-2.1904(a) and 19-2.2004 of the Modesto Municipal Code authorize the Board of Zoning Adjustment to grant conditional use permits and amendments thereto, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on October 23, 1980, December 18, 1980, and February 26, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence, both oral and documentary, was received and considered, and

WHEREAS, after holding said public hearing the Board of Zoning Adjustment adopted Resolution No. 964 on February 26, 1981, granting a conditional use permit in the H-1 Zone for a retail store and gas station at the southerly corner of 7th Street and Tuolumne Boulevard, subject to certain conditions as set forth in said Board of Zoning Adjustment Resolution No. 964, and denying the car wash facility portion of the application, and

WHEREAS, an appeal to the decision of the Board of Zoning Adjustment was filed with the City Council of the City of Modesto by Ernest Setliff on behalf of Setliff Brothers, by a letter dated March 10, 1981, to appeal certain conditions imposed by the Board of Zoning Adjustment relating to the following:

1. Changes to the applicant's plot plan required by the Board of Zoning Adjustment, eliminating the proposed driveway from the development site onto 7th Street.

2. Board of Zoning Adjustment condition number 4, requiring that the applicant construct a seven (7) foot decorative masonry wall along the southeast and south property lines prior to occupancy.

3. That portion of Board of Zoning Adjustment condition number 6, requiring the applicant to reduce his building and canopy in size to provide a fifteen (15) foot setback from the new property lines, should additional right-of-way be required by the City to widen 7th Street or Tuolumne Boulevard to major street standards.

4. Changes to the applicant's plot plan required by the Board of Zoning Adjustment, increasing the width of the planter along the southeast and south property lines from two (2) feet to six (6) feet.

WHEREAS, said appeal was set for hearing before the City Council of the City of Modesto in the Council Chambers, City Hall, 801 11th Street, Modesto, California, at 4:00 o'clock p.m. on June 16, 1981, and continued to 4:00 o'clock p.m. on July 21, 1981, and

WHEREAS, said hearing was held at 4:00 o'clock p.m. on July 21, 1981 and evidence, both oral and documentary, was presented and considered, and

WHEREAS, after said public hearing, the Council of the City of Modesto found and determined that the conditions imposed by the Board of Zoning Adjustment in its Resolution No. 964 relating to the seven (7) foot decorative masonry wall and dedication of right-of-way to widen 7th Street and Tuolomne Boulevards should be amended, and the appeal of Ernest

Setliff, on behalf of Setliff Brothers, should be granted in part for the reasons set forth below:

1. The installation of a 7 foot decorative masonry wall along the southeast and south property lines could be installed by July 21, 1982, and still ensure compatibility between the development site and adjacent properties.

2. While the applicant is required to maintain 15 foot setbacks from the property lines on 7th Street and Tuolumne Boulevard, the applicant is required only to dedicate and/or improve sufficient right-of-way as required by the Director of Public Works to complete Tuolumne Boulevard and 7th Street to major street standards.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that conditions No. 4 and 6, contained in the above-referred to Board of Zoning Resolution No. 964, are hereby amended to read as follows:

4. A 7 foot decorative masonry wall along the southeast and south property lines shall be constructed by July 21, 1982.

6. The developer shall dedicate and/or improve sufficient right-of-way as required by the Director of Public Works to complete Tuolumne Boulevard and 7th Street to major street standards prior to occupancy or upon demand by the City, whichever occurs first. All buildings and canopies shall be constructed with 15 foot setbacks from both property lines.

BE IT FURTHER RESOLVED that all other provisions and conditions of the above-referred to Board of Zoning Resolution No. 964 shall remain in full force and effect for the reasons set forth in said Resolution No. 964, and that in those respects, the decision of the Board of Zoning Adjustment be and is hereby affirmed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly

seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By George H. Eiser III
GEORGE H. EISER III
Assistant City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-620

A RESOLUTION DENYING THE APPEAL OF GO ENTERPRISES FROM THE DECISION OF THE BOARD OF ZONING ADJUSTMENT DENYING A VARIANCE FROM THE REQUIREMENT FOR AN 8 FOOT HIGH WALL FOR A COMMERCIAL DEVELOPMENT ON THE EAST SIDE OF OAKDALE ROAD AND THE SOUTH SIDE OF SURREY AVENUE

WHEREAS, the City Council, by Ordinance 763-C.S. effective January 19, 1966, rezoned from C-1 to P-D(22) to allow a commercial development with C-1 zone uses plus certain C-2 zone uses including a bar and restaurant (Monaco's), a hardware store, a furniture, and a laundry and dry cleaners, property located on the east side of Oakdale Road and on the south side of Surrey Avenue; and

WHEREAS, the first phase of P-D(22) including a bar and restaurant (Monaco's) developed but the remaining portion of the site failed to develop; and

WHEREAS, following several time extensions, the City Council, by Ordinance 1677-C.S., effective December 28, 1977, repealed P-D(22) and rezoned the property to C-1 as specified by Section 10-2.2709(c) of the Modesto Municipal Code; and

WHEREAS, GO Enterprises subsequently acquired the property and completed the commercial center adding 2 large "shell" type buildings to the site extending north from the bar-restaurant in an inverted "L" configuration; and

WHEREAS, Section 10-2.806 of the Municipal Code specifies certain measures to be taken in C-1 zone developments to assure compatibility with adjoining residential areas which measures include an 8 foot high masonry wall and specified building and parking setbacks from property lines adjoining residential areas; and

WHEREAS, the GO Enterprises development plan failed to account for the provisions of Section 10-2.806 by causing the buildings to be built and parking to be located closer to the east property line than the specified setback; causing a 90° parking bay to back directly onto a 30 foot wide alley, and failing to construct the required 8 foot masonry wall; and

WHEREAS, at the encouragement of City staff to construct the wall or obtain relief from the requirement, an application by GO Enterprises was filed on March 5, 1981, for a variance from the requirements for the building and parking setbacks and for the 8 foot high masonry wall along the entire east property line; and

WHEREAS, Sections 10-2.1904(a) and 10-2.2001 of the Modesto Municipal Code authorize the Board of Zoning Adjustment to grant variances subject to findings specified in Section 10-2.2003; and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on April 23, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered; and

WHEREAS, at said public hearing, the Board of Zoning Adjustment granted to GO Enterprises a variance from the requirement for the northern approximately 75 feet of the masonry wall, and a variance from the building and parking setbacks from the east property line as specified in Modesto Municipal Code Section 10-2.806, for the following reasons:

1. There are exceptional or extraordinary circumstances or conditions applicable to the property involved because the buildings and parking pattern are fully developed and represent practical and irreversibly total commitment to the development plan.

2. Such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone and denied to the property in question because the remaining commercial developments to the south have no building and parking constraints from the easterly properties.

3. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located because the substandard setbacks on private land are offset by the greater than normal width of the 30 foot wide alley separating the commercial from the residential properties.

4. The granting of the variance will not adversely affect the comprehensive General Plan, and

WHEREAS, at said public hearing, the Board of Zoning Adjustment denied a variance from all but approximately the north 75 feet of an 8 foot high masonry wall required by Modesto Municipal Code Section 10-2.806, for the following reasons:

1. The wall represents an incompleted portion of the commercial development which can be constructed without adversely affecting the development.

2. Past experience on this site has proven the necessity of a wall separating the commercial traffic from the rear yards of the adjoining residential properties so as to prevent damage to the adjacent owners' fences.

3. Elimination of the wall requirement from the north 75 feet will allow for proper functioning of the northerly parking area but will not cause cars to back across the subject alley and damage neighbors fences, and

WHEREAS, an appeal was filed by GO Enterprises with the City Clerk of the City of Modesto on April 27, 1981, to the decision of the Board of Zoning Adjustment denying its request for a variance from the requirement of Modesto Municipal Code Section 10-2.806 for an 8 foot high wall for a commercial development on the east side of Oakdale Road and the south side of Surrey Avenue in the City of Modesto, and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, at 7:30 o'clock p.m. on June 9, 1981, and continued to 7:30 o'clock p.m. on June 23, 1981, and 4:00 p.m. on July 21, 1981, and

WHEREAS, at said meetings said Council, after hearing evidence both oral and documentary, found and determined that the appeal filed by GO Enterprises to the decision of the Board of Zoning Adjustment denying its request for a variance from the requirement of Modesto Municipal Code Section 10-2.806 for an 8 foot high wall for a commercial development on the east side of Oakdale Road on the south side of Surrey Avenue in the City of Modesto, should be denied for the reasons set forth in the Board of Zoning Adjustment Resolution No. 974, and quoted above, and that the decision of the Board of Zoning Adjustment should be affirmed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by GO Enterprises to the decision of the Board of Zoning Adjustment denying a variance from the requirement of Modesto Municipal Code Section 10-2.806 for an 8 foot high wall for a commercial development on the east side of Oakdale Road on the south side of Surrey Avenue in the City of Modesto is hereby denied for the reasons set forth in Board of Zoning Adjustment Resolution No. 974, quoted above, and the decision of the Board of Zoning Adjustment denying its request for a conditional use permit is hereby affirmed, with the exception that condition number 2 of said Resolution No. 974 is amended as follows:

2. Fencing shall be constructed prior to further occupancy and shall be as follows: 8 foot decorative masonry wall along the easterly property line extending to approximately 75 feet south of the Surrey Avenue right-of-way. The precise location of said eastern property line may be modified by abandonment of a portion of the alley adjacent to the existing eastern property line, should such partial alley abandonment be approved by the City Council as provided by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1981, by

Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By George H. Eiser III
GEORGE H. EISER III
Assistant City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-621

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT ZONE, P-D(306).

WHEREAS, a verified application for an amendment to Section 23-3-9 of the Zoning Map was filed by GO Enterprises on May 4, 1981, to reclassify from Neighborhood Commercial, C-1, to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in a portion of the Southwest quarter of Section 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

All of Block 1405 of SCENIC VILLAGE UNIT NO. 1, as per Map filed August 19, 1964, in Volume 20 of Maps, page 82, Stanislaus County Records.

Including all of Parcel A as shown on the parcel map filed in Book 5 of Parcel Maps at page 64 in the Office of the Recorder of Stanislaus County, California, on May 1, 1968.

Also including the south one-half of Surrey Avenue, the east one-half of Oakdale Road, the 30.00 foot wide north-south alley bordering the eastern boundary of the property requested for rezoning, and the 31.77 foot wide Modesto Irrigation District easement all immediately adjacent to the above described property.

EXCEPTING THEREFROM that portion described as follows: COMMENCING at the northeast corner of said Block 1405; thence along the North line of said Block 1405 a distance of 245.04 feet to the true point of beginning of this description; thence continuing West along said North line, 119.80 feet; thence along a curve concave to the Southeast having a radius of 15.00 feet, through a central angle of 90° 45' 00" a curve distance of 23.76 feet to a point on the West line of said Block 1405; thence South along said West line, 119.80 feet, thence East, parallel to the North line of said Block 1405, a distance of 135 feet; thence North parallel to the West line of said Block 1405 a distance of 135 feet to the true point of beginning.

WHEREAS, after public hearing held on June 1, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. In 1965, the City Council deemed that a P-D to permit a restaurant with a separate cocktail lounge and alcoholic beverage service with or without the sale of food was appropriate adjacent to an existing neighborhood shopping center and Monaco's was subsequently built.

2. This P-D reinstates Monaco's as a conforming use.

3. The addition of a second restaurant with a separate cocktail lounge is located farther from residences than Monaco's and is not seen as having an adverse impact on surrounding uses.

WHEREAS, after a public hearing held on June 23, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of GO Enterprises for a Planned Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2055-C.S. on the 23rd day of June, 1981, reclassifying the above-described property from Neighborhood Commercial Zone, C-1 to Planned-Development Zone, P-D(306), and

WHEREAS, at the public hearing held on June 23, 1981, the City Council approved in principle the development plan for P-D (306), reserving final approval of said development plan and the imposition of conditions of approval, pending its decision on GO Enterprises' appeal dated April 27, 1981, from Board of Zoning Adjustment Resolution No. 974 affecting said P-D (306), and

WHEREAS, the final approval of the development plan for P-D (306), the imposition of conditions of approval, and the appeal from Board of Zoning Adjustment Resolution No. 974, was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, at 4:00 p.m. on July 21, 1981, and

WHEREAS, at said meeting said Council, after hearing evidence both oral and documentary, found and determined that the appeal filed by GO Enterprises to the decision of the Board of Zoning Adjustment denying its request for a variance from the 8 foot masonry wall requirement of Section 10-2.806 of the Modesto Municipal Code should be denied for the reasons set forth in Board of Zoning Adjustment Resolution No. 974, and that the decision of the Board of Zoning Adjustment should be affirmed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(306) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan titled "Oakdale Shopping Center" as amended in red, stamped approved by the Planning Commission on June 1, 1981, and as amended by a Board of Zoning Adjustment Resolution No. 974, granting a variance to GO Enterprises for reduction in building and parking setbacks, and denying a variance from the requirement for an 8 foot high wall.

2. Fencing shall be constructed prior to further occupancy and shall be as follows: 8 foot decorative masonry wall along the easterly property line extending to approximately 75 feet south of the Surrey Avenue right-of-way. The precise location of said eastern property line may be modified by abandonment of a portion of the alley adjacent to the existing eastern property line, should such partial alley abandonment be approved by the City Council as provided by law.

3. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash and other debris.

4. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

5. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

6. All business may be open to the public only between the hours of 7 a.m. and 10 p.m. seven days a week, unless a use permit for each business seeking additional hours is obtained from the Board of Zoning Adjustment; excepting the two restaurants with bars which may remain open until 2 a.m., seven days per week.

7. No operations conducted on the premises shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration, or electrical interference detectable off the premises. All machinery or equipment shall be soundproofed as required by the Director of Public Works.

8. All signs shall comply with the sign requirements of the C-1 Zone.

9. The applicant shall record a "Notice of Conditions" in the Stanislaus County Recorder's Office on a form available in the Planning and Community Development Department.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (306):

The entire construction program shall be accomplished in one phase, construction to begin on or before September 1, 1981, and completion to be not later than September 1, 1982.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X

of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned Development Zone, P-D (306) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Muratore

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
GEORGE H. EISER III
Assistant City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Department of Planning & Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-622

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE 1500 GPM FIRE PUMPER TRUCK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing one 1500 GPM fire pumper truck

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 8, 1981, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-623

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF JOHNSTON PARTS FROM STANISLAUS PUMP

WHEREAS, bids were sent to six distributors of pump parts for two Johnston vertical mixed flow pumps located at the Sutter and Jennings plant sites, and only Stanislaus Pump responded to the call for bids; and

WHEREAS, Stanislaus Pump is the Northern California distributor for Johnston pumps, and is the sole source, it is the recommendation of staff that formal bid procedures be waived and Council authorize the purchase of Johnston pump parts from Stanislaus Pump for the total amount of $14,644.75.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of Johnston parts for two Johnston vertical mixed flow pumps located at the Sutter and Jennings plant sites is hereby waived.

BE IT FURTHER RESOLVED that purchase of Johnston pump parts from Stanislaus Pump in the total amount of $14,644.75 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-624

A RESOLUTION AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER TO M.I.D. FOR REPAIR OF THEIR FACILITIES ON THE COMMERCIAL ALLEY IMPROVEMENTS - PHASE 2 PROJECT

WHEREAS, during the re-construction of the commercial alleys downtown, the contractor damaged three Modesto Irrigation District vaults; and

WHEREAS, M.I.D. and the City have attempted to contact the contractor so that arrangements could be made for payment for the work, but have been unsuccessful in their attempts; and

WHEREAS, these repairs need to be made prior to paving the alleys, and it is the recommendation of staff that a purchase order in the amount of $8,900 be issued to M.I.D. so that the work can proceed and the money be deducted from money which is due the contractor.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that issuance of a purchase order in the amount of $8,900 to the Modesto Irrigation District to repair three damaged M.I.D. vaults is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-625

A RESOLUTION ACCEPTING THE CONSTRUCTION OF AIRPORT TERMINAL ACCESS ROAD AND TERMINAL TRANSIENT PARKING APRON EXPANSION - BLOCK 2300, MODESTO CITY-COUNTY AIRPORT FAA-ADAP #6-06-0153-08

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** airport terminal access road and terminal transient parking apron expansion - Block 2300, Modesto City-County Airport **has been completed by** George Reed, Inc.

in accordance with the contract agreement dated October 14, 1980.

NOW, THEREFORE, BE IT RESOLVED that the construction of airport terminal access road and terminal transient parking apron expansion - Block 2300 **be accepted from said contractor,** George Reed, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $216,308.76 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st **day of** July, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 626

A RESOLUTION AMENDING THE MODESTO URBAN TRAILS PLAN.

WHEREAS, the City Council of the City of Modesto adopted the Modesto Urban Trails Plan on July 24, 1978, and

WHEREAS, said Urban Trails Plan was subsequently amended on April 8, 1980, by City Council Resolution No. 80-324, and

WHEREAS, said Urban Trails Plan calls for implementation of a Class III signed bike route crossing the Briggsmore-McHenry intersection, and

WHEREAS, the Planning Commission considered an amendment to this portion of the Urban Trails Plan, and after a public hearing held on May 18, 1981, and June 15, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission as follows:

1. That the proposed signaling and right and left turn lanes at the Briggsmore-McHenry intersection will make crossing for cyclists difficult.

2. That bike route signs in the alley between Burchell Court and Judith Lane would be difficult to post because the buildings in the alley are on the property line.

3. That people entering the Briggsmore-McHenry shopping area have multiple destinations and the removal of a specific signed bike route leading cyclists into the Briggsmore-McHenry intersection would not be detrimental to cyclists making east-west crossings in that area.

4. That having a signed bike route continue eastward at McHenry-Norwegian is convenient only if there is a specific route crossing Briggsmore-McHenry,

and

WHEREAS, the Planning Commission recommended to the City

Council the following amendment to the Urban Trails Plan:

1. Elimination of the proposed signed route between Sherwood and the McHenry-Briggsmore intersection, including Lelah, June, Judith, and Burchell Court, and

2. Beginning of the western portion of this route at McHenry-Tokay and continuing to Bodega,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the hereinabove mentioned amendment to the Modesto Urban Trails Plan is hereby approved for the reasons set forth herein, and as recommended in Planning Commission Resolution No. 81-154.

BE IT FURTHER RESOLVED that a copy of the amendment to the Modesto Urban Trails Plan be placed on file in the office of the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By George H. Eiser III
GEORGE H. EISER III
Assistant City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-627

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOHN GRIFFIN, OWNER, FOR CONTINUED OPERATION OF PARKING LOT 30

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and John Griffin, owner

for continued operation of Parking Lot 30

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st **day of** July, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 628

A RESOLUTION ESTABLISHING MUNICIPAL OFF-STREET PARKING FACILITIES, PROVIDING FOR CONTROL THEREOF, AND RESCINDING RESOLUTION NO. 81-339

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. PARKING METER LOTS. The municipal off-street parking facilities specified on Exhibit "A" attached hereto are hereby established as parking meter lots to be controlled by parking meters. Parking time limits, rates of fees, and monthly fees for parking passes and reserved parking for said parking meter lots shall be as shown on Exhibit "A". Said Exhibit "A" is hereby incorporated by reference and made a part of this resolution.

SECTION 2. ATTENDANT LOTS. (a) The following municipal off-street parking facilities are hereby established as parking attendant lots:

(1) PAL-2 east side of 9th Street between I and J Streets

(2) PAL-28 west side of 11th Street between I and J Streets

(b) Vehicular parking on said parking attendant lots shall be controlled and regulated by parking attendants as follows:

(1) PAL-2 from 8:00 A.M. to 6:00 P.M., Monday through Friday

(2) PAL-28 from 8:00 A.M. to 6:00 P.M. Monday through Friday

(c) The rate of twenty-five cents (25¢) per hour or fraction thereof, unless validated in accordance with the provisions of Section 3-2.1604 of the

Modesto Municipal Code, is hereby established for said parking attendant lots PAL-2 and PAL-28. The price for validation stamps to be used with the validation system on said parking attendant lots, as provided by Section 3-2.1604 of the Modesto Municipal Code, shall be thirty cents (30¢) per stamp.

(d) The Director of Parking and Traffic may designate spaces in parking attendant lots for the free parking of bicycles. When appropriate signs are erected, bicycles may be parked in such areas without charge.

(e) Monthly parking passes may be authorized by the Director of Parking and Traffic on parking attendant lots PAL-2 and PAL-28 when it does not encroach on the needs of shopper parking. The monthly charges for such passes shall be Ten and no/100ths ($10.00) Dollars for PAL-2 and Twenty and no/100ths ($20.00) Dollars for PAL-28.

SECTION 3. PARKING TICKET LOTS. (a) The following municipal off-street parking facilities are hereby established as parking ticket lots:

(1) PTL-20 west side of 10th Street between G and H Streets and south of PTL-23, (Old City Hall)

(2) PTL-23 west side of 10th Street between G and H Streets (Brack-Griffin)

(3) PTL-34 southwest corner of 10th and K Streets

(b) Vehicular parking on said parking ticket lots PTL-20, PTL-23, and PTL-34 shall be controlled by means of ticket dispensing devices from 9:00 A.M. to 4:30 P.M., Monday through Friday.

(c) The rate of fifty cents (50¢) per day or fraction thereof is hereby established for said parking ticket lots PTL-20, PTL-23, and PTL-34.

(d) Monthly parking passes may be authorized by the Director of Parking and Traffic on any parking ticket lot when it does not encroach on the needs of shopper parking. The monthly charges for such passes shall be Ten and no/100ths ($10.00) Dollars.

SECTION 4. RESERVED PARKING LOTS. (a) The following municipal off-street parking facility is hereby designated as a reserved parking lot:

(1) RPL-4a west side of 11th Street between H and I Streets (street level)

(b) Vehicular parking on said reserved parking lot shall be controlled by signs and painted markings.

(c) Charges for reserved parking on RPL-4a shall be Twenty and no/100ths ($20) Dollars per space per month.

SECTION 5. FREE PARKING LOTS. (a) The following municipal off-street parking facilities shall be free parking lots:

(1) PL-10 east side of 8th Street between I and K Streets

(2) PL-13 north side of H Street between 15th and 16th Street (Modesto Stanislaus Library)

(3) PL-15 east side of 11th Street between F and G Streets (north of Fire Station #1)

(4) PL-16 east side of 11th Street between F and G Streets (south of Fire Station #1)

(5) PL-27 Southern Pacific Depot between I and K Streets

(6) PL-31 between Downey Avenue, H, I, and 17th Streets (Lincoln School Site)

(b) Parking time limit on PL-13 shall be either no time limit or in portions as posted, a two-hour time limit 8:00 a.m. to 5:00 p.m., Monday through Friday.

SECTION 6. REPEALS. Resolution No. 81-339 adopted May 5, 1981, is hereby repealed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

PARKING METER LOT NUMBER	LOCATION	TIME LIMITS & FEE CLASSIFICATION	FEES FOR MONTHLY PASSES	MONTHLY FEE FOR RESERVED
1. PML-2a	Alley between 9th, 10th, I and J Streets	PM-1	*	**
2. PML-3	Southeast corner of 12th and I Streets	PM-3	*	**
3. PML-11	Southwest corner of 10th and H Streets	PM-2	*	$15.00 ***
4. PML-21	Southwest corner of 11th and K Streets	PM-4	$10.00	**
5. PML-24	Southeast corner of 9th and J Streets	PM-1	*	**
6. PML-25	Southeast corner of 9th and I Streets	PM-1	$10.00	**
7. PML-30	East side of 12th Street between J and K Streets	PM-3	$20.00	**
8. PML-32	East side of 10th Street between J and K Streets	PM-1	$10.00	**
9. PML-33	Northeast corner of 10th and H Streets	PM-1	*	$15.00****
10. PML-35	County Administration Lot, between 11th, 12th, G and H Streets	PM-5	*	**

* Monthly passes are not authorized
** Reserved spaces are not authorized
*** No limit on the number of spaces reserved
****The number of spaces reserved is limited to a maximum of 15

TIME LIMITS AND FEE CLASSIFICATION

PM-1: Three (3) hour limit, 9 a.m. to 6 p.m., Monday through Friday; five (5¢) cents per one-half (1/2) hour or fraction thereof.

PM-2: Five (5) hour limit, 9 a.m. to 6 p.m. Monday through Friday; five (5¢) cents per one-half (1/2) hour or fraction thereof.

PM-3: No time limit, 9 a.m. to 6 p.m., Monday through Friday, five (5¢) cents per one-half (1/2) hour or fraction thereof.

PM-4: No time limit, 9 a.m. to 6 p.m., Monday through Friday; twenty-five (25¢) cents per hour or fraction thereof.

PM-5: Time limit as posted, either twenty-four (24) minute or one hour time limit, 8 a.m. to 5 p.m., Monday through Friday; one (1¢) cent per six (6) minutes or fraction thereof.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-629

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO IRRIGATION DISTRICT GRANTING AN EASEMENT FOR A CITY BICYCLE PATH ALONG M.I.D. PROPERTY PARALLELING THE TIDEWATER SOUTHERN RAILROAD BETWEEN RUMBLE AND WOODROW

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Modesto Irrigation District granting an easement for a City bicycle path along M.I.D. property paralleling the Tidewater Southern Railroad between Rumble and Woodrow

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st **day of** July, **19**81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-630

A RESOLUTION APPROVING THE FINAL MAP OF THE FARA ESTATES NO. 2 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Tax Strategy - Fara Estates LTD., a limited partnership,

is ~~(are)~~ possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 7.268 acres, known as the Fara Estates No. 2 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 4th day of September, 1979, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Fara Estates No. 2 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Council-

member Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL 631
RESOLUTION NO. 81-

A RESOLUTION AMENDING SECTION 7.5 RELATING TO TEMPORARY EMPLOYEES AND PART-TIME EMPLOYEES, AND SECTION 11.1 RELATING TO LAYOFFS, OF THE PERSONNEL RULES.

WHEREAS, Section 1202 of Article XII of the Charter of the City of Modesto provides that the Personnel System provided by said Article shall be implemented by such rules and regulations governing the administration thereof as are adopted by the City Council upon recommendation of the City Manager, and

WHEREAS, the City Manager has recommended an amendment to Section 7.5 relating to temporary employees and part-time employees, and Section 11.1 relating to layoffs, and

WHEREAS, the City Council has reviewed said amendments to Section 7.5 and 11.1 of the Personnel Rules as recommended by the City Manager and finds that said proposed amendments to Sections 7.5 and 11.1 promote the purpose and objectives of the Personnel System,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That Section 7.5 of the Personnel Rules be amended to read as set forth on Exhibit "A" attached hereto and which by this reference is made a part hereof as though set forth in full herein.

SECTION 2. That Section 11.1 of the Personnel Rules be amended to read as set forth on Exhibit "B" attached hereto and which by this reference is made a part hereof as though set forth in full herein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

7.5 Types of Appointment

(a) Probationary: appointment from an eligible list to a position in the classified service, for a specified working test period.

(b) Regular: appointment following satisfactory completion of the probationary period, upon recommendation of the department head and approval of the City Manager.

(c) Provisional: appointment of a person who has not qualified through examination. It is intended that the appointing authority shall have the choice of at least three names in filling any vacancy. If less than three persons from eligible lists furnished are available for appointment, a probationary appointment may be made, or a provisional appointment of a person meeting the employment standards for the class may be made. If the position is considered to be permanent, the

Director shall schedule an examination and establish an eligible list from which to make an appointment. A provisional appointment shall not extend beyond six months, except that the City Manager, with the approval of the City Council, may extend such period for not more than sixty days by any one action. Time spent on a provisional appointment shall not constitute a part of the probationary period.

(d) Temporary: appointment to a position of limited duration.

1. Temporary positions of ninety (90) days or less duration are in the unclassified service.

2. Temporary positions of more than 90 days' duration are in the classified service.

3. The first 90 days of any temporary appointment, whether or not appointment is from an eligible list for the class, shall not constitute a part of the probationary period.

4. Temporary appointees hired on an hourly or per diem basis shall not receive paid vacation, holiday, sick leave, or retirement benefits.

(e) Part-Time: appointment to a position which requires less than full time.

1. Part-time positions requiring an average of nineteen (19) hours per week or less are in the unclassified service and pay shall be on an hourly or per diem basis for the time worked only.

2. Part-time positions requiring an average of twenty (20) hours or more per week are in the classified service. Vacation, holiday, sick leave or retirement benefits shall be proportional to time worked. Service credit toward probationary period shall be proportional to time worked.

(f) Emergency: appointment to meet the immediate requirements of any emergency conditions such as extraordinary fire, flood, earthquake or enemy attack, which threatens public life or property. With the approval of the City Manager, any department head may employ such persons as may be needed for the duration of the emergency without regard to these rules affecting appointments, except that no such appointment shall exceed fifteen working days without Council approval.

(g) Acting: appointment of an employee to temporarily fill a regular position when the employee appointed to that position is on vacation leave, sick leave or other authorized leave. When an employee is unable to perform the duties of his/her position for an extended period of time because of vacation leave, sick leave or other authorized leave, the Director may designate an employee to temporarily act in the capacity of the employee on leave. The Director may authorize additional compensation for an employee so designated during the duration of the appointment.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-632

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan for the City of Modesto was adopted by Modesto City Council Resolution No. 67-77 pursuant to Rule 2 of the Personnel Rules and Regulations of the City of Modesto, and

WHEREAS, the City Manager has recommended to the Council amendments to the Position Classification Plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that revisions to the classification plan shall be effective upon adoption of resolution of the City Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. CLASSIFICATIONS ABOLISHED. The Position Classification Plan of the City of Modesto is hereby amended to abolish the following classifications:

Data Processing Supervisor

SECTION 2. CLASSIFICATIONS CREATED. The Position Classification Plan of the City of Modesto is further amended to create new classifications as follows:

Supervising Construction Inspector

Data Processing Manager

The specifications for the classifications created, as shown on the attached Exhibits "A" and "B", which are hereby made a part of this resolution by reference, are hereby approved and made a part of the Position Classification Plan of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

SUPERVISING CONSTRUCTION INSPECTOR

DEFINITION

Under direction, to assign, coordinate, and supervise the work assignments of Construction Inspectors; to inspect the construction and repair of Public Works facilities; to inspect subdivision construction; to perform a variety of sub-professional engineering work; and to do related work as required.

DISTINGUISHING CHARACTERISTICS

The position allocated to this class is distinguished by the responsibility of assisting or relieving the Associate Civil Engineer in charge of Construction Administration of a variety of day to day supervisory and operational details such as scheduling, coordination, supervising, training, and assisting with the daily work assignments of Construction Inspection personnel. Additionally, the position allocated to this class is expected to assist Construction Inspectors in questions dealing with difficult and complex field inspections, and to explain construction regulations to contractors, subdividers, engineers, and the general public.

EXAMPLES OF DUTIES

Schedules, coordinates, and supervises the daily assignments of Construction Inspection personnel; assists and participates in the performance of more difficult complex field inspections on projects during various stages of construction; provides technical assistance and instructs subordinate personnel in specification interpretation, inspection techniques, and departmental objectives; inspects subdivision construction projects; provides necessary information to the Associate Civil Engineer to aid in the preparation of annual budget; evaluates the performance of and counsels subordinate personnel; coordinates projects with contractors and the City; investigates and recommends resolutions to disputes or complaints from the public, contractors, engineers, and developers; may act for the Associate Civil Engineer in his absence.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

Incumbents will be required to file a statement of economic interest.

EMPLOYMENT STANDARDS

Knowledge of:

- Engineering mathematics, including algebra, geometry, and trigonometry;
- Public works construction techniques, methods, materials and equipment, and proper inspection methods;

Soils sampling and materials testing techniques;
Construction staking methods and techniques;
Acceptable health and safety standards in Public Works construction;
Principles of supervision and training.

and

Ability to:

Assist in the planning, training, assignment, and supervision of field inspection personnel;
Read and interpret construction plans and specifications;
Make mathematical calculations with speed and accuracy;
Inspect various kinds of construction projects to determine compliance with approved specifications and plans;
Train personnel in proper inspection, record keeping, report writing practices and procedures;
Promote safe work practices;
Read, interpret, and apply terms and requirements of pertinent specifications, laws, rules, and regulations;
Prepare and present concise, comprehensive reports as required;
Establish and maintain cooperative relationships with fellow employees and others contacted during the course of the work.

and

Experience:

Three years of progressively responsible journey-level experience in a variety of Public Works construction work, which included at least two years of experience in an inspectoral capacity comparable to the class of Construction Inspector in the City of Modesto.

DATA PROCESSING MANAGER

DEFINITION

Under direction, to plan, organize, and supervise data processing activities of the City; to perform systems analysis and programming work; to oversee the operations activities and perform the most difficult computer operations work; and to do related work as required.

EXAMPLES OF DUTIES

Plans, organizes, and supervises the data processing activities of the City; schedules daily, weekly, and monthly job priorities for other City departments using the City's data processing service; works with other City personnel analyzing problem areas involving computer usage; coordinates programming, scheduling, and operations activities to insure maximum equipment utilization and the meeting of established deadlines; plans and designs new applications for electronic digital computer processing programs; performs systems design and programming work in the preparation of new applications; prepares test data for the debugging and testing of programs; tests, debugs, and recompiles debugged programs; prepares flow charts, procedures manuals, and operating instructions for data processing applications; designs forms and procedures for submission of imput data; reviews and analyzes data processing applications, identifying costs, benefits, and alternatives; prepares data processing budget estimates and controls budgetary expenditures; operates the computer for the most difficult jobs and during peak work periods; maintains liaison with manufacturers and other computer users to keep abreast of the latest developments and technical advancements in the field; insures the proper maintenance and repair of data processing equipment; establishes a data processing training program for the staff; evaluates the work of employees; interviews and recommends the hiring of new personnel; keeps records and prepares reports of data processing operations.

SPECIAL REQUIREMENTS

Incumbents will be required to file a Statement of Economic Interests.

Possession of an appropriate license issued by the California Department of Motor Vehicles within one month after appointment.

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

Principles and techniques of program planning, machine scheduling, budgeting, and related control requirements;

Operation of computer systems and related equipment;
Production capacities and general capabilities of data processing equipment;

Systems and procedures analysis and development;
Symbolic programming languages;
The application of computer systems to the functions of a City;
Principles of supervision and training.

and

Ability to:

Analyze job requirements, supervise, and coordinate the use of computer equipment to obtain desired results;
Confer with City administrators concerning uses of data processing equipment to insure the most practical and economical use of equipment;
Advise on new uses and adaptions of City data processing equipment;
Supervise and coordinate the development of new computer applications;
Perform systems analysis and programming work;
Train and supervise subordinates;
Establish a budget and control expenditures;
Prepare oral and written reports;
Establish and maintain cooperative relationships with those contacted during the course of work.

and

Experience:

Four years of increasingly responsible experience in systems analysis and design, computer operations and programming, with a minimum of one year in a supervisory capacity.

DATA PROCESSING MANAGER

DEFINITION

Under direction, to plan, organize, and supervise data processing activities of the City; to perform systems analysis and programming work; to oversee the operations activities and perform the most difficult computer operations work; and to do related work as required.

EXAMPLES OF DUTIES

Plans, organizes, and supervises the data processing activities of the City; schedules daily, weekly, and monthly job priorities for other City departments using the City's data processing service; works with other City personnel analyzing problem areas involving computer usage; coordinates programming, scheduling, and operations activities to insure maximum equipment utilization and the meeting of established deadlines; plans and designs new applications for electronic digital computer processing programs; performs systems design and programming work in the preparation of new applications; prepares test data for the debugging and testing of programs; tests, debugs, and recompiles debugged programs; prepares flow charts, procedures manuals, and operating instructions for data processing applications; designs forms and procedures for submission of imput data; reviews and analyzes data processing applications, identifying costs, benefits, and alternatives; prepares data processing budget estimates and controls budgetary expenditures; operates the computer for the most difficult jobs and during peak work periods; maintains liaison with manufacturers and other computer users to keep abreast of the latest developments and technical advancements in the field; insures the proper maintenance and repair of data processing equipment; establishes a data processing training program for the staff; evaluates the work of employees; interviews and recommends the hiring of new personnel; keeps records and prepares reports of data processing operations.

SPECIAL REQUIREMENTS

Incumbents will be required to file a Statement of Economic Interests.

Possession of an appropriate license issued by the California Department of Motor Vehicles within one month after appointment.

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

Principles and techniques of program planning, machine scheduling, budgeting, and related control requirements;

Operation of computer systems and related equipment;
Production capacities and general capabilities of data processing equipment;

Systems and procedures analysis and development;
Symbolic programming languages;
The application of computer systems to the functions of a City;
Principles of supervision and training.

and

Ability to:

Analyze job requirements, supervise, and coordinate the use of computer equipment to obtain desired results;
Confer with City administrators concerning uses of data processing equipment to insure the most practical and economical use of equipment;
Advise on new uses and adaptions of City data processing equipment;
Supervise and coordinate the development of new computer applications;
Perform systems analysis and programming work;
Train and supervise subordinates;
Establish a budget and control expenditures;
Prepare oral and written reports;
Establish and maintain cooperative relationships with those contacted during the course of work.

and

Experience:

Four years of increasingly responsible experience in systems analysis and design, computer operations and programming, with a minimum of one year in a supervisory capacity.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-633

A RESOLUTION AMENDING EXHIBIT "F" OF RESOLUTION NO. 81-553 ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE."

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. AMENDMENT TO RESOLUTION NO. 81-553. Exhibit "F" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1981-82" attached to Resolution No. 81-553, is hereby amended as shown on the amended Exhibit "F" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1981-82" which is attached hereto and made a part hereof as though set forth in full herein. Said amended Exhibit "F" deletes the classification of Data Processing Supervisor, Range 428.0. Said Amended exhibit "F" adds the classifications of Data Processing Manager to Range 430.0, and Supervising Building Inspector to Range 428.0.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CITY OF MODESTO
ALPHABETICAL LISTING OF CLASSIFICATIONS IN CITY SERVICE
1981-82
(Effective 6-30-81, Amended 7-21-81)

Range No.	Title of Classification
111.5	Account Clerk I
114.5	Account Clerk II
116.5	Account Clerk III
119.5	Account Clerk IV
426.0	Accountant
433.0	Accounting Administrator
426.0	Administrative Analyst
426.5	Administrative Assistant (Parking & Traffic)
429.0	Airport Manager
424.5	Airport Maintenance Supervisor
116.5	Animal Control Officer I
118.5	Animal Control Officer II
426.5	Arborist
122.0	Assistant Building Inspector
426.0	Assistant Chief Electrician
633.0	Assistant Chief of Police
432.0	Assistant City Attorney I
434.0	Assistant City Attorney II
420.5	Assistant City Clerk
429.0	Assistant Civil Engineer
433.0	Assistant Director of Parks & Recreation
436.0	Assistant Director of Public Works
122.5	Assistant Electrician
426.0	Assistant Planner
428.0	Assistant Property Agent
427.0	Assistant Risk Manager
426.0	Assistant Shop Supervisor
122.0	Assistant Zoning Inspector
432.0	Associate Civil Engineer
429.0	Associate Planner

Range No.	Title of Classification
426.0	Budget Accountant
125.0	Building Inspector
426.5	Building Maintenance Supervisor
120.5	Building Maintenance Worker
122.5	Building Maintenance Leadworker
433.0	Chief Building Official
429.0	Chief Electrician
N/A	Chief of Police
426.5	Chief of Survey Party
N/A	City Attorney
N/A	City Clerk and Auditor
N/A	City Manager
117.5	Civil Engineering Technician I
120.5	Civil Engineering Technician II
123.5	Civil Engineering Technician III
126.5	Civil Engineering Technician IV
124.0	Coach Mechanic
120.5	Community Service Officer
119.5	Computer Operator
125.0	Construction Inspector
427.0	Cost Analyst
123.0	Crime Analyst
430.0	Data Processing Manager
427.0	Deputy City Attorney I
429.0	Deputy City Attorney II
312.0	Detective
N/A	Director of Finance
N/A	Director of Management Services
N/A	Director of Parking and Traffic
N/A	Director of Parks and Recreation
N/A	Director of Planning and Community Development
N/A	Director of Public Works and City Engineer

Range No.	Title of Classification
120.5	Electrical Technician
118.5	Electrical Trainee
124.5	Electrician
126.0	Engineering Computer Programmer
122.0	Equipment Mechanic
120.5	Equipment Operator
119.0	Equipment Service Worker
118.5	Evidence and Property Specialist
120.5	
529.0	Financial Specialist
N/A	Fire Battalion Chief
211.0	Fire Chief
210.0	Fire Engineer
213.0	Fire Fighter
120.5	Fire Lieutenant
	Fire Prevention Technician
122.5	
120.5	Heavy Equipment Operator
432.0	Housing Conservationist
	Housing Program Officer
125.0	
	Industrial Waste Inspector
116.5	
123.0	Janitor
126.0	Junior Accountant
123.0	Junior Civil Engineer
	Junior Planner
114.5	
	Keypunch Operator
122.5	
113.5	Laboratory Technician
426.0	Laborer (Unclassified)
125.0	Landscape Designer
123.0	Lead Coach Mechanic
416.5	Lead Equipment Mechanic
418.5	Legal Secretary I
	Legal Secretary II

Range No.	Title of Classification
113.5	Maintenance Worker Trainee
116.5	Maintenance Worker
429.0	Management Assistant
122.5	Mechanic/Treatment Plant
424.5	Mechanical Maintenance Supervisor/ Treatment Plant
113.5	Microfilm and Graphics Technician I
115.5	Microfilm and Graphics Technician II
120.5	Motor Sweeper Operator
424.0	Museum Supervisor
122.5	Nursery Propagator
106.5	Office Aide I
109.5	Office Aide II
113.5	Office Services Clerk
122.5	Office Services Supervisor
122.5	Parking and Traffic Leadworker
120.5	Parking and Traffic Maintenance Worker
122.5	Parks Maintenance Leadworker
424.5	Parks Maintenance Supervisor I
426.5	Parks Maintenance Supervisor II
118.5	Parks Maintenance Worker I
120.5	Parks Maintenance Worker II
429.0	Parks Superintendent
432.0	Personnel Manager
420.5	Personnel Technician
126.0	Plan Review Engineer I
426.0	Plan Review Engineer I (MGT)
117.5	Planning Technician I
120.5	Planning Technician II
123.5	Planning Technician III
632.0	Police Captain
113.5	Police Clerk
630.0	Police Lieutenant
310.0	Police Officer
425.0	Police Records Supervisor

Range No.	Title of Classification
628.0	Police Sergeant
115.5	Printing Services Operator I
118.5	Printing Services Operator II
123.0	Programmer
426.0	Programmer Analyst
430.0	Property Agent
427.0	Public Services Officer
122.0	Public Services Inspector
106.5	Public Services Trainee
122.5	Public Works Leadworker
118.5	Public Works Maintenance Worker I
120.5	Public Works Maintenance Worker II
424.5	Public Works Supervisor I
426.5	Public Works Supervisor II
120.5	Pump Maintenance Worker
122.0	Purchasing Assistant I
124.0	Purchasing Assistant II
430.0	Purchasing Officer
117.5	Recreation Program Supervisor
429.0	Recreation Superintendent
426.0	Recreation Supervisor
125.0	Rehabilitation Specialist
430.0	Risk Manager
417.5	Risk Management Technician
116.5	Secretary I
116.5	Secretary I (Conf.)
418.5	Secretary II
420.5	Secretary to the City Attorney
421.5	Secretary to the City Manager
428.0	Senior Accountant
126.5	Senior Building Inspector
416.5	Senior Personnel Clerk
423.5	Senior Personnel Technician
432.0	Senior Planner
428.0	Senior Rehabilitation Specialist
429.0	Shop Supervisor
123.5	Social Services Coordinator
423.5	Social Services Coordinator (MGT)
114.5	Stenographer Clerk
118.5	Storeskeeper I
120.5	Storeskeeper II
120.5	Street Trees Maintenance Worker II
428.0	Supervising Building Inspector
428.0	Supervising Construction Inspector
113.5	Telephone Operator-Receptionist
429.0	Transit Manager
120.5	Tree Trimmer I
122.5	Tree Trimmer II
109.5	Typist Clerk I
409.5	Typist Clerk I (Conf.)
111.5	Typist Clerk II
411.5	Typist Clerk II (Conf.)
113.5	Typist Clerk III
424.5	Warehouse Supervisor
118.5	Wastewater Treatment Plant Attendant
120.5	Wastewater Treatment Plant Operator I
122.5	Wastewater Treatment Plant Operator II
426.5	Wastewater Treatment Plant Supervisor
432.0	Water Quality Control Superintendent
125.0	Water System Inspector
118.5	Word Processing Supervisor
114.5	Word Processing Technician I
116.5	Word Processing Technician II
113.5	Word Processing Trainee
425.0	Zoning Inspector

Totals: 11 City Manager, Department Heads
176 Other

187

MODESTO CITY COUNCIL
RESOLUTION NO. 81-634

A RESOLUTION AUTHORIZING PAYMENT OF INCREASED COST OF RELOCATION WORK PERFORMED BY TIDEWATER SOUTHERN RAILWAY COMPANY

WHEREAS, on March 20, 1979, the City of Modesto entered into an agreement with the Tidewater Southern Railway Company in conjunction with the project to improve Standiford Avenue between Tully and McHenry Avenue; and

WHEREAS, under the terms of the agreement, the Railroad agreed to prepare its track for paving and to relocate and install automatic grade crossing warning devices at their Standiford Avenue crossing as required by the Public Utilities Commission at an estimated cost to the City of $16,200; and

WHEREAS, Tidewater Southern has completed their work and submitted a final bill in the amount of $19,680.27, an added cost of $3,480.27 over the original estimate; and

WHEREAS, the original estimate of $16,200 was made in December, 1978, and actual work on the crossing did not begin until August of 1980, during which time there were price increases for labor, material, and equipment which resulted in an overall increase in the cost of the work.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that payment of increased cost,in the amount of $3,480.27, for relocation work performed by Tidewater Southern Railway Company is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-635

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON REPORT OF WORK AND COST OF CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

BE IT HEREBY RESOLVED by the Council of the City of Modesto that August 11, 1981, at 7:30 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of the attached reports by the Superintendent of Streets on the cost of construction of improvements as described in such reports.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

A) Curb and sidewalk along Corson Avenue at 201 Corson Avenue, Lot 9 of Block 655. (William H. Amend - $880.00)

B) Curb and sidewalk at 156 Corson Avenue, Portion of Block 651. (Denny Brooks - $1,660.00)

C) Curb along Sierra Drive at 316 Sierra Drive, portion of Block 627. (Victor M. Brown - $600.00)

D) Curb and sidewalk at 126 Corson Avenue, portion of Block 651. (Jon Camp - $1,015.00)

E) Curb and sidewalk along East Coolidge Avenue and Drake Avenue at 216 East Coolidge Avenue, a portion of Block 1193-A. (Central California Conference Association of the Seventh Day Adventist - $1,927.00)

F) Curb and sidewalk at 233 E. Orangeburg Avenue, a portion of Block 1193. (North Modesto Freewill Baptist Church - $1,517.00)

G) Curb and sidewalk along Amador Avenue at 1601 Spokane Avenue, Lot 1 in Block 9009. (Jesus Cisneros - $2,180.00)

H) Curb at 1515 Encina Avenue, a portion of Block 2168. (Victor H. Christensen - $1,885.00)

I) Curb and sidewalk at 216 Drake Avenue, a portion of Block 1193 (William H. Covey - $900.00)

J) Curb and sidewalk at 125 Hintze Avenue, a portion of Block 649. (Rose Geller - $1,610.00)

K) Curb and sidewalk at 3437 Scenic Drive, a portion of Block 1705. (Henry W. Harrison - $3,180.00)

L) Curb and sidewalk at 130 Corson Avenue, a portion of Block 651. (William H. Heagerty - $955.00)

M) Curb and sidewalk along Drake Avenue and East Coolidge Avenue, at 222 East Coolidge Avenue, a portion of Block 1193-A. (Clyde Holmes - $1,792.00)

N) Curb and sidewalk at 213 Corson Avenue, Lot 12 of Block 655. (Jones and Proctor - $880.00)

O) Curb and sidewalk at 215 Corson Avenue, Lot 13 of Block 655. (Mary L. Kuykendall - $910.00)

P) Curb and sidewalk along Hintze Avenue and curb along Ila Way at 835 Ila Way, Lots 1 and 2 of Block 621. (Augustine F. Lombardo - $3,211.00)

Q) Curb and sidewalk at 221 Corson Avenue, Lot 14 of Block 655. (Gary R. Mendizza - $910.00)

R) Curb and sidewalk at 2113 Prescott Road, a portion of Block 6424. (Andrew E. Perry - $1,000.00)

S) Curb and sidewalk at 1332 Sunrise Avenue, Lots 18 & 19 of Block 1140 (Mike G. Stavrakakis - $1,500.00)

T) Sidewalk at 515 E. Orangeburg Avenue, a portion of Block 1189. (Stewart and Stewart - $1,495.00)

U) Sidewalk along Trombetta Avenue and East Orangeburg Avenue at 218 E. Orangeburg Avenue, a portion of Block 1135. (Jim D. Webb - $855.00)

V) Curb and sidewalk at 1305 Sunrise Avenue, a portion of Block 1139. (Karl E. Wellman - $1,144.00)

W) Sidewalk along Sunrise Avenue at 1200 Sunrise Avenue, Lot 7 in Block 1122. (Robert D. Tucker - $735.00)

CITY OF MODESTO
DEPARTMENT OF PUBLIC WORKS

July 23, 1981

INVOICE AND REPORT TO THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of vertical curb and sidewalk at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 9 of Block 655 of Corson Tract as per map filed October 16, 1941 in Volume 14 of Maps, Page 19, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 112-0518-101)

The work of installation of curb and sidewalk was performed in accordance with Resolution 81-131 of the Modesto City Council ordering the construction of curb and sidewalk at the above location.

The cost of work performed is as follows:

1.	Lump sum bid	$870.00
2.	Secretarial, posting & inspection costs	10.00
		$880.00

This is the amount of the assessment against the property described above. The work was accepted on May 1, 1981.

Ross Campbell
Superintendent of Streets

Mailing address of property owner:

Mr. & Mrs. William H. Amend
c/o R.L. Hollen
4936 Elrod Drive
Castro Valley, CA 94546

RC:DS:mr
cc: City Manager
City Attorney
Director of Finance
City Clerk

CITY OF MODESTO
DEPARTMENT OF PUBLIC WORKS

July 23, 1981

INVOICE AND REPORT OF THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of verticle curb and sidewalk at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 152 feet of Lot 6 of Block 651 of Fairmont Tract as per map filed December 27, 1911 in Volume 6 of Maps, Page 12, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 112-4566-101)

The work of installation of curb and sidewalk was performed in accordance with Resolution 71-131 of the Modesto City Council ordering the construction of curb and sidewalk at the above location.

The cost of work performed is as follows:

1.	Lump sum bid	$1,650.00
2.	Secretarial, posting & inspection costs	10.00
		$1,660.00

This is the amount of the assessment against the property described above. The work was accepted on April 24, 1981.

Ross Campbell
Superintendent of Streets

Mailing address of property owner:

Denny Brooks
1500 McHenry Avenue
Modesto, CA 95350

RC:DS:mr
cc: City Manager
City Attorney
Director of Finance
City Clerk

CITY OF MODESTO
DEPARTMENT OF PUBLIC WORKS

July 23, 1981

INVOICE AND REPORT TO THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of vertical curb at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 65.06 feet of Lots 1 and 2 of Block 327 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 327, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-0832-001)

The work of installation of vertical curb was performed in accordance with Resolution 79-325 of the Modesto City Council ordering the construction of vertical curb at the above location.

The cost of work performed is as follows:

1.	Lump Sum Bid	$600.00
2.	Secretarial, posting & inspection costs	10.00
		$610.00

This is the amount of the assessment against the property described above. The work was accepted on April 8, 1981.

Ross Campbell
Superintendent of Streets

Mailing address of property owner:

Mr. Victor M. Brown
1524 Lorry Avenue
Modesto, CA 95350

RC:DS:mr
cc: City Manager
City Attorney
Director of Finance
City Clerk

CITY OF MODESTO
DEPARTMENT OF PUBLIC WORKS

July 23, 1981

INVOICE AND REPORT TO THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of vertical curb and sidewalk at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 66 feet of the North 160 feet of Lot 3 of Block 651 of Fairmont Tract as per map filed December 27, 1911 in Volume 6 of Maps, Page 12, Stanislaus County Records.

(Stanislaus County Assessors Parcel No. 002-01 112-4504-101)

The work of installation of vertical curb and sidewalk was performed in accordance with Resolution 81-131 of the Modesto City Council ordering the construction of curb and sidewalk at the above location.

The cost of work performed is as follows:

1.	Lump sum bid	$1,005.00
2.	Secretarial, posting & inspection costs	10.00
		$1,015.00

This is the amount of the assessment against the property described above. The work was accepted on April 2, 1981.

Ross Campbell
Superintendent of Streets

Mailing address of property owner:

Mr. Jon Camp
126 Corson Avenue
Modesto, CA 95350

RC:DS:mr
cc: City Manager
City Attorney
Director of Finance
City Clerk

CITY OF MODESTO
DEPARTMENT OF PUBLIC WORKS

July 23, 1981

INVOICE AND REPORT TO THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of vertical curb and sidewalk at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 68 feet of the South 170 feet of the North 190 feet of Lot 10 of Coolidge Colony as per map filed November 15, 1910 in Volume 5 of Maps, Page 17, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 031-0360-101)

The work of installation of curb and sidewalk was performed in accordance with the waiver signed by Central California Conference Association of the Seventh Day Adventist, dated June 4, 1981, approving the construction of curb and sidewalk at the above location.

The cost of work performed is as follows:

1.	Lump sum bid	$1,917.00
2.	Secretarial, posting and inspection costs	10.00
		$1,927.00

This is the amount of the assessment against the property described above. The work was accepted on July 6, 1981.

Ross Campbell
Superintendent of Streets

Mailing Address of Property Owner

Central Californai Conference
Assoc. of the Seventh Day Adventist
c/o T.G. Matthews
P.O. Box 3141
Napa, CA 94558

RC:DS:mr
cc: City Manager
City Attorney
Director of Finance
City Clerk

CITY OF MODESTO
DEPARTMENT OF PUBLIC WORKS

July 23, 1981

INVOICE AND REPORT TO THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of vertical curb and sidewalk at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 132 feet of the North 290 feet of the South 330 feet of Lot 10 of Coolidge Colony as per map filed November 15, 1910 in volume 5 of Maps, Page 17, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 031-0345-101)

The work of installation of vertical curb and sidewalk was performed in accordance with Resolution 80-1048 of the Modesto City Council ordering the construction of curb and sidewalk at the above location.

The cost of work performed is as follows:

1.	Lump sum bid	$1,507.00
2.	Secretarial, posting & inspection costs	10.00
		$1,517.00

This is the amount of the assessment against the property described above. The work was accepted on April 13, 1981.

Ross Campbell
Ross Campbell
Superintendent of Streets

Mailing address of property owner:

North Modesto Freewill Baptist Church
225 E. Orangeburg Avenue
Modesto, CA 95350

RC:DS:mr
cc: City Manager
City Attorney
Director of Finance
City Clerk

CITY OF MODESTO
DEPARTMENT OF PUBLIC WORKS

July 23, 1981

INVOICE AND REPORT TO THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of vertical curb and sidewalk at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Block 9009 of South Modesto Acres Tract No. 3 as per map filed October 23, 1946 in Volume 14 of Maps, Page 7, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 080-03 056-1627-101)

The work of installation of curb and sidewalk was performed in accordance with the waiver signed by Jesus & Lorenza Cisneros, dated November 9, 1980, approving the construction of curb and sidewalk at the above location.

The cost of work performed is as follows:

1.	Lump sum bid	$2,170.00
2.	Secretarial, posting and inspection costs	10.00
		$2,180.00

This is the amount of the assessment against the property described above. The work was accepted on December 16, 1980.

Ross Campbell
Superintendent of Streets

Mailing address of property owner:

Mr. & Mrs. Jesus Cisneros
1601 Spokane Avenue
Modesto, CA 95351

RC:DS:mr
cc: City Manager
City Attorney
Director of Public Works
City Clerk

CITY OF MODESTO
DEPARTMENT OF PUBLIC WORKS

July 23, 1981

INVOICE AND REPORT TO THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of vertical curb at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Commencing at the West 1/4 corner of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence East 1113.02 feet; thence, North 62.5 feet to the true point of beginning; thence North 249.8 feet; thence, East 90 feet; thence, South 249.8 feet; thence West 90 feet to the point of beginning.

(Stanislaus County Assessor's Parcel No. 002-01 108-0314-101)

The work of installation of curb was performed in accordance with the waiver signed by Victor H. & Patricia B. Christensen, dated November 5, 1980, approving the construction of curb at the above location.

The cost of work performed is as follows:

1.	Lump sum bid	$1,875.00
2.	Secretarial, posting and inspection costs	10.00
		$1,885.00

This is the amount of the assessment against the property described above. The work was accepted on December 12, 1980.

Ross Campbell
Superintendent of Streets

Mailing address of property owner:

Mr. & Mrs. Victor H. Christensen
1515 Encina Avenue
Modesto, CA 95354

RC:DS:mr
cc: City Manager
City Attorney
Director of Finance
City Clerk

CITY OF MODESTO
DEPARTMENT OF PUBLIC WORKS

July 23, 1981

INVOICE AND REPORT TO THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of drive over curb and sidewalk at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 90' of the North 330' of the East 64' of the West 132' of Lot 10 of Coolidge Colony as per map filed November 15, 1910 in Volume 5 of Maps, Page 17, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 031-0352-101)

The work of installation of curb and sidewalk was performed in accordance with the waiver signed by William H. Covey, dated May 27, 1981, approving the construction of curb and sidewalk at the above location.

The cost of work performed is as follows:

1.	Lump sum bid	$896.00
2.	Secretarial, posting and inspection costs	10.00
		$906.00

This is the amount of the assessment against the property described above. The work was accepted on July 6, 1981.

Ross Campbell
Superintendent of Streets

Mailing address of property owner:

Mr. William H. Covey
3013 Shenandoah Way
Modesto, CA 95355

RC:DS:mr
cc: City Manager
City Attorney
Director of Finance
City Clerk

CITY OF MODESTO
DEPARMENT OF PUBLIC WORKS

July 23, 1981

INVOICE AND REPORT TO THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of vertical curb and sidewalk at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Commencing at the Northwest corner of Lot 18 of High Homes Tract as per map filed January 28, 1920 in Volume 9 of Maps, Page 24, Stanislaus County Records; thence South 88° 12' East, 248.83 feet to the true point of beginning; thence, South 223 feet; thence, North 88° 57' East 21 feet; thence North 80° 57' East 60'; thence North 212'; thence South 88° 12' West 80' to the true point of beginning.

(Stanislaus County Assessor's Parcel No. 002-01 112-1307-101)

The work of installation of curb and sidewalk was performed in accordance with the waiver signed by Rose Geller, dated December 1, 1980, approving the construction of curb and sidewalk at the above location.

The cost of work performed is as follows:

1.	Lump sum bid	$1,600.00
2.	Secretarial, posting and inspection costs	10.00
		$1,610.00

This is the amount of the assessment against the property described above. The work was accepted on December 16, 1980.

Ross Campbell

Ross Campbell
Superintendent of Streets

Mailing address of property owner:

Rose Geller
125 Hintze Avenue
Modesto, CA 95354

RC:DS:mr
cc: City Manager
City Attorney
Director of Finance
City Clerk

CITY OF MODESTO
DEPARTMENT OF PUBLIC WORKS

July 23, 1981

INVOICE AND REPORT TO THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of vertical curb and sidewalk at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcel "A" of Parcel Maps filed December 6, 1974 in Book 20 of Parcel Maps, Page 34, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 068-0644-101)

The work of installation of curb and sidewalk was performed in accordance with the waiver signed by Henry W. & Lillian M. Harrison, dated December 2, 1980, approving the construction of curb and sidewalk at the above location.

The cost of work performed is as follows:

1.	Lump sum bid	$3,170.00
2.	Secretarial, posting and inspection costs	10.00
		$3,180.00

This is the amount of the assessment against the property described above. The work was accepted on April 16, 1981.

Ross Campbell
Superintendent of Streets

Mailing address of property owner:

Mr. & Mrs. Henry W. Harrison
3437 Scenic Drive
Modesto, CA 95355

RC:DS:mr
cc: City Manager
City Attorney
Director of Finance
City Clerk

CITY OF MODESTO
DEPARTMENT OF PUBLIC WORKS

July 23, 1981

INVOICE AND REPORT TO THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of vertical curb and sidewalk at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 61 feet of the North 155 feet of Lot 4 of Block 651 of Fairmont Tract as per map filed December 27, 1911 in Volume 6 of Maps, Page 12, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 112-4505-101)

The work of installation of curb and sidewalk was performed in accordance with Resolution 81-131 of the Modesto City Council ordering the construction of curb and sidewalk at the above location.

The cost of work performed is as follows:

1.	Lump sum bid	$945.00
2.	Secretarial, posting & inspection costs	10.00
		$955.00

This is the amount of the assessment against the property described above. The work was accepted on April 2, 1981.

Ross Campbell
Superintendent of Streets

Mailing address of property owner:

Mr. & Mrs. William H. Heagerty
1208 Payne Avenue
Modesto, CA 95351

RC:DS:mr
cc: City Manager
City Attorney
Director of Finance
City Clerk

CITY OF MODESTO
DEPARTMENT OF PUBLIC WORKS

July 23, 1981

INVOICE AND REPORT TO THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of vertical curb at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 64 feet of the West 132 feet of the South 170 feet of the North 190 feet of Lot 10 of Coolidge Colony as per map filed November 15, 1910 in Volume 5 of Maps, Page 17, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 031-0359-101)

The work of installation of curb was performed in accordance with the waiver signed by Clyde and Hedwig Holmes, dated April 28, 1981, approving the construction of curb at the above location.

The cost of work performed is as follows:

1.	Lump sum bid	$1,792.00
2.	Secretarial, posting and inspection costs	10.00
		$1,802.00

This is the amount of the assessment against the property described above. The work was accepted on July 6, 1981.

Ross Campbell
Superintendent of Streets

Mailing address of property owner:

Mr. & Mrs. Clyde Holmes
222 E. Coolidge Avenue
Modesto, CA 95350

RC:DS:mr
cc: City Manager
City Attorney
Director of Finance
City Clerk

CITY OF MODESTO
DEPARTMENT OF PUBLIC WORKS

July 23, 1981

INVOICE AND REPORT TO THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of vertical curb and sidewalk at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 12 of Block 655 of Corson Tract as per map filed October 16, 1941 in Volume 14 of Maps, Page 19, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 112-0515-101)

The work of installation of curb and sidewalk was performed in accordance with the waiver signed by Jennette & James W. Jones, Jr. and Marcia N. & Lynden C. Proctor, dated December 10, 1980, approving the construction of curb and sidewalk at the above location.

The cost of work performed is as follows:

1.	Lump sum bid	$870.00
2.	Secretarial, posting and inspection costs	10.00
		$880.00

This is the amount of the assessment against the property described above. The work was accepted on February 3, 1981.

Ross Campbell
Superintendent of Streets

Mailing address of property owner:

Mr. & Mrs. James W. Jones
Mr. & Mrs. Lynden C. Proctor
944 Brady Avenue
Modesto, CA 95350

RC:DS:mr
cc: City Manager
City Attorney
Director of Finance
City Clerk

CITY OF MODESTO
DEPARTMENT OF PUBLIC WORKS

July 23, 1981

INVOICE AND REPORT TO THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of vertical curb and sidewalk at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 13 of Block 655 of Corson Tract as per map filed October 16, 1941 in Volume 14 of Maps, Page 19, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 112-0514-101)

The work of installation of curb and sidewalk was performed in accordance with Resolution 81-131 of the Modesto City Council ordering the construction of curb and sidewalk at the above location.

The cost of work performed is as follows:

1.	Lump sum bid	$900.00
2.	Secretarial, posting & inspection costs	10.00
		$910.00

This is the amount of the assessment against the property described above. The work was accepted on April 10, 1981.

Ross Campbell
Superintendent of Streets

Mailing address of property owner:

Mary L. Kuykendall
215 Corson Avenue
Modesto, CA 95350

RC:DS:mr
cc: City Manager
City Attorney
Director of Finance
City Clerk

CITY OF MODESTO
DEPARTMENT OF PUBLIC WORKS

July 23, 1981

INVOICE AND REPORT TO THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of vertical curb and sidewalk at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 and 2 of Block 621 of Lesliehugh Tract as per map filed March 31, 1931 in Volume 11 of Maps, Page 19, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 112-1410-101)

The work of installation of curb and sidewalk was performed in accordance with the waiver signed by Jennig D. & Augustine F. Lombardo, dated November 24, 1980, approving the construction of curb and sidewalk at the above location.

The cost of work performed is as follows:

1.	Lump sum bid	$3,211.00
2.	Secretarial, posting and inspection costs	10.00
		$3,221.00

This is the amount of the assessment against the property described above. The work was accepted on January 26, 1981.

Ross Campbell
Superintendent of Streets

Mailing address of property owner;

Mr. & Mrs. Augustine F. Lombardo
835 Ila Way
Modesto, CA 95354

RC:DS:mr
cc: City Manager
City Attorney
Director of Finance
City Clerk

CITY OF MODESTO
DEPARTMENT OF PUBLIC WORKS

July 23, 1981

INVOICE AND REPORT TO THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of vertical curb and sidewalk at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 14 of Block 655 of Corson Tract as per map filed October 16, 1941 in Volume 14 of Maps, Page 19, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 112-0513-101)

The work of installation of curb and sidewalk was performed in accordance with the waiver signed by Gary R. and Nancy J. Mendizza, dated November 5, 1980, approving the construction of curb and sidewalk at the above location.

The cost of work performed is as follows:

1.	Lump sum bid	$900.00
2.	Secretarial, posting and inspection costs	10.00
		$910.00

This is the amount of the assessment against the property described above. The work was accepted on December 4, 1980.

Ross Campbell
Superintendent of Streets

Mailing address of property owner:

Mr. & Mrs. Gary R. Mendizza
221 Corson Avenue
Modesto, CA 95350

RC:DS:mr
cc: City Manager
City Attorney
Director of Finance
City Clerk

CITY OF MODESTO
DEPARTMENT OF PUBLIC WORKS

July 23, 1981

INVOICE AND REPORT TO THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of vertical curb and sidewalk at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Beginning at the Southeast corner of Lot 1 of Block 6424 of Prescott Homes as per map filed September 20, 1977 in Volume 27 of Maps, Page 12, Stanislaus County Records; thence West 320.51 feet; thence South 88 feet; thence East 319.87 feet; thence North 88 feet to the point of beginning.

(Stanislaus County assessor's Parcel No. 002-09 005-6798-271)

The work of installation of curb and sidewalk was performed in accordance with the waiver signed by Andrew E. Perry, dated June 23, 1981, approving the construction of curb and sidewalk at the above location.

The cost of work performed is as follows:

1.	Lump sum bid	$1,000.00
2.	Secretarial, posting and inspection costs	10.00
		$1,010.00

This is the amount of the assessment against the property described above. The work was accepted on May 4, 1981.

Ross Campbell
Superintendent of Streets

Mailing address of property owners:

Andrew E. Perry
2113 Prescott Road
Modesto, CA 95350

RC:DS:mr
cc: City Manager
City Attorney
Director of Finance
City Clerk

CITY OF MODESTO
DEPARTMENT OF PUBLIC WORKS

July 23, 1981

INVOICE AND REPORT TO THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of vertical curb and sidewalk at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 18 and 19 of Block 1140 of Sunrise Homes as per map filed June 25, 1945 in Volume 14 of Maps, Page 36, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 031-1505-101)

The work of installation of curb and sidewalk was performed in accordance with Resolution 81-131 of the Modesto City Council ordering the construction of curb and sidewalk at the above location.

The cost of work performed is as follows:

1.	Lump sum bid	$1,490.00
2.	Secretarial, posting & inspection costs	10.00
		$1,500.00

This is the amount of the assessment against the property described above. The work was accepted on April 16, 1981.

Ross Campbell
Superintendent of Streets

Mailing address of Property Owner:

Mr. & Mrs. Mike G. Stavrakakis
1332 Sunrise Avenue
Modesto, CA 95350

RC:DS:mr
cc: City Manager
City Attorney
Director of Finance
City Clerk

CITY OF MODESTO
DEPARTMENT OF PUBLIC WORKS

July 23, 1981

INVOICE AND REPORT TO THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of sidewalk at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Commencing at the Southwest corner of the Southeast quarter of the Northeast quarter of the Northwest quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence North 40 feet; thence East 120 feet to the true point of beginning; thence North 177 feet; thence East 54 feet; thence North 179 feet; thence East 160 feet; thence South 132 feet; thence West 10 feet; thence South 224 feet; thence West 200 feet to the true point of beginning

(Stanislaus County Assessor's Parcel No. 002-01 031-0657-003)

The work of installation of sidewalk was performed in accordance with Resolution 80-1048 of the Modesto City Council ordering the construction of sidewalk at the above location.

The cost of work performed is as follows:

1.	Lump sum bid	$1,495.00
2.	Secretarial, posting & inspection costs	10.00
		$1,505.00

This is the amount of the assessment against the property described above. The work was accepted on May 15, 1981.

Ross Campbell
Superintendent of Streets

Mailing address of property owner:

Mr. Harley A. Stewart
Mr. Harley A. Stewart, Jr.
c/o Belcor, Inc.
1391 W. Shaw Avenue
Fresno, CA 93711

RC:DS:mr
cc: City Manager
City Attorney
Director of Finance
City Clerk

CITY OF MODESTO
DEPARTMENT OF PUBLIC WORKS

July 23, 1981

INVOICE AND REPORT TO THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of sidewalk at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1, 2 and the North 10 feet of Lot 3 of Block 1135 of Mensinger Tract No. 4 as per map filed August 1, 1946 in Volume 14 of Maps, Page 68, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 031-1201-101)

The work of installation of sidewalk was performed in accordance with Resolution 80-1048 of the Modesto City Council ordering the construction of sidewalk at the above location.

The cost of work performed is as follows:

1.	Lump sum bid	$845.00
2.	Secretarial, posting & inspection costs	10.00
		$855.00

This is the amount of the assessment against the property described above. The work was accepted on January 5, 1981.

Ross Campbell
Superintendent of Streets

Mailing address of property owner:

Mr. & Mrs. Jim D. Webb
218 E. Orangeburg Avenue
Modesto, CA 95350

RC:DS:mr
cc: City Manager
City Attorney
Director of Finance
City Clerk

CITY OF MODESTO
DEPARTMENT OF PUBLIC WORKS

July 23, 1981

INVOICE AND REPORT TO THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of vertical curb and sidewalk at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 89 feet of the East 145 feet of the West 165 feet of Lot 28 of Mensinger Colony as per map filed May 18, 1909 in Volume 4 of Maps, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 031-1406-101)

The work of installation of curb and sidewalk was performed in accordance with Resolution 81-131 of the Modesto City Council ordering the construction of curb and sidewalk at the above location.

The cost of work performed is as follows:

1.	Lump sum bid	$1,144.00
2.	Secretarial, posting & inspection costs	10.00
		$1,154.00

This is the amount of the assessment against the property described above. The work was accepted on April 13, 1981.

Ross Campbell
Superintendent of Streets

Mailing address of property owner:

Mr. Karl E. Wellman
190 Foxenwood Drive
Santa Maria, CA 93454

RC:DS:mr
cc: City Manager
City Attorney
Director of Finance
City Clerk

CITY OF MODESTO
DEPARTMENT OF PUBLIC WORKS

July 23, 1981

INVOICE AND REPORT TO THE CITY COUNCIL:

THIS IS TO CERTIFY that all work has been completed in connection with construction of sidewalk at the location described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 7 of Block 1122 of Sunrise Homes as per map filed June 25, 1945 in Volume 14, Page 36, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 031-1740-101)

The work of installation of sidewalk was performed in accordance with Resolution 81-131 of the Modesto City Council ordering the construction of sidewalk at the above location.

The cost of work performed is as follows:

1.	Lump sum bid	$725.00
2.	Secretarial, posting & inspection costs	10.00
		$735.00

This is the amount of the assessment against the property described above. The work was accepted on April 16, 1981.

Ross Campbell
Superintendent of Streets

Mailing address of property owner:

Mr. Robert D. Yucker
Mr. William H. Moore
7 Seward Street
San Francisco, CA 94114

RC:DS:mr
cc: City Manager
City Attorney
Director of Finance
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-636

A RESOLUTION APPROVING THE FINAL MAP OF THE TRIANON CONDOMINIUM SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Citizens Savings and Loan Association, a corporation, is possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 4.679 acres, known as the Trianon Condominium Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 6th day of October, 1980, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Trianon Condominium Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct, and

WHEREAS, all requirements of the California Subdivision Map Act regarding notice to tenants of the condominium conversion have been complied with, or conditions found excusing such compliance, and

WHEREAS, all public improvements required by the City of Modesto have been completed in said tract,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the improvements completed in said tract be accepted; that the streets, alleys and easements as shown

thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Dan H. Eiser III
GEORGE H. EISER III
Assistant City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-637

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR A NEW BUS SERVICE AGREEMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for a new bus service agreement to continue the arrangement of having a private firm recruit, train, and supervise the bus driver, telephone operator/dispatcher and bus washing personnel for Intracity Transit copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 15, 1981, at 10:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-638

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE TRAFFIC SIGNAL CONTROLLER

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing one traffic signal controller

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on August 18, 1981, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-639

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE GARDEN REFUSE PACKER TRUCK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing one garden refuse packer truck

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on August 18, 1981, at 2:15 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-640

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE DRILL TOWER SAFETY NET

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing one drill tower safety net

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 1, 1981, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-641

A RESOLUTION WAIVING FORMAL BID PROCEDURES AND AUTHORIZING THE PURCHASE OF ONE MODEL 500 CLAW BUCKET FROM WASTEQUIP, INC.

WHEREAS, the Service Division is requesting the purchase of a claw bucket which will be installed by City shop crews on a loader to be purchased this year to be used by the Public Works Street Cleaning Division; and

WHEREAS, the claw bucket is available from only one source, Wastequip, Inc., located in Davis, California.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of a Model 500 claw bucket for use by the Public Works Street Cleaning Division is hereby waived.

BE IT FURTHER RESOLVED that purchase of a Model 500 claw bucket from Wastequip, Inc., for the total purchase price of $7,975.80, is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 1981, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-642

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SITE IMPROVEMENTS AT THE DOWNTOWN TERMINAL AS COMPLETE

WHEREAS, a report has been filed by the Director of Parking and Traffic **that the construction of** site improvements in preparation for installing bus patron shelters at Ninth and I Streets **has been completed by** Rolfe Construction

in accordance with the contract agreement dated April 7, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of site improvements at the Downtown Terminal **be accepted from said contractor,** Rolfe Construction

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $21,320 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th **day of** July, **19** 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-643

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR WATERLINE EXTENSION AT OAKDALE AND SYLVAN ROADS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for waterline extension at Oakdale and Sylvan Roads

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on August 18, 1981, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-644

AMENDED
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND THE STATE DEPARTMENT OF TRANSPORTATION REGARDING THE JENNIE-GRAND ENVIRONMENTAL STUDY AGREEMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto
amended
that the /agreement between the City of Modesto and the State Department of Transportation regarding the payment provisions and termination clauses to the Jennie-Grand Environmental Study agreement

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th **day of** July, **19**81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-645

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CURTIS C. AND MARY L. LEMMONS FOR WATER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 1613 WOODLAND AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Curtis C. and Mary L. Lemmons **for** water service to property outside City limits at 1613 Woodland Avenue, located on the north side of Woodland Avenue between Carpenter Road and Watts Avenue **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th **day of** July, **19** 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-646

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ESTLE F. AND EDITH E. BEARD FOR WATER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 1621 WOODLAND AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Estle F. and Edith E. Beard **for** water service to property outside City limits at 1621 Woodland Avenue, located on the north side of Woodland Avenue between Carpenter Road and Watts Avenue **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th **day of** July, **19** 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-647

A RESOLUTION ACCEPTING IMPROVEMENTS IN MODESTO LAS CASITAS SUBDIVISION AND AUTHORIZING RELEASE OF LABOR AND PERFORMANCE MONIES IN TRUST

WHEREAS, Richard & Carol Marmon, George & Phyllis Rose, and Benjamin & Mavis Hurwitz, subdividers of Modesto Las Casitas Subdivision, have deposited monies in trust for faithful performance and labor and materials in the amount of $ 5,100 and $ 2,550 respectively to guarantee improvements in Modesto Las Casitas Subd. ; and

WHEREAS, the Director of Public Works in a memorandum dated July 21, 1981 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the labor and performance money in/trust upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Modesto Las Casitas Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the money in trust for faithful performance in the amount of $ 5,100 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the money in trust for labor and materials in the amount of $ 2,550 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July , 1981 by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-648

A RESOLUTION ORDERING THE HATCH ROAD NUMBER 2 GOVERNMENTAL REORGANIZATION TO THE CITY OF MODESTO WITHOUT NOTICE, HEARING, OR ELECTION.

WHEREAS, a petition signed by all of the owners of land residing within that certain territory known as the Hatch Road Number 2 Annexation in the County of Stanislaus requesting annexation of the Hatch Road Number 2 Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated July 15, 1981 approved said annexation to the City of Modesto upon condition that it be processed as a Governmental Reorganization pursuant to the provisions of Division 1 of Title 6 of the Government Code of the State of California, and designated said Governmental Reorganization the Hatch Road Number 2 Governmental Reorganization, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution ordered that said Governmental Reorganization consist of (a) the annexation of said territory to the City of Modesto; (b) the detachment of said territory from the Industrial Fire Protection District; and (c) the annexation of said territory to the Modesto Municipal Sewer District; and that the territory be subject to the bonded indebtedness of the Sewer District, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution ordered that a negative declaration be filed as to the environmental effect of the subject Governmental Reorganization, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution designated the City of Modesto as the conducting authority for said Governmental Reorganization and authorized the Council of the City of Modesto to proceed without notice, hearing or election pursuant to section 56261 of the Government Code of the State of California,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the District Reorganization Act of 1964, as amended, have been complied with.

2. That the area or territory designated as the Hatch Road Number 2 Governmental Reorganization is more particularly described as attached hereto and made a part hereof by reference as though set forth in full herein.

3. Said territory is hereby annexed to and made a part of the City of Modesto.

4. Said territory is hereby detached from the Industrial Fire Protection District.

5. Said territory is hereby annexed to the Modesto Municipal Sewer District No. 1. Said territory shall be subject to the authorized or existing bonded indebtedness of the Sewer District.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, a certified copy of this resolution, stating the date of its passage and to execute such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the Executive Officer of the Stanislaus County Local Agency Formation Commission together with a payment of all fees required by section 56450 of the California Government Code.

BE IT FURTHER RESOLVED that pursuant to section 56454 of the California Government Code, this Governmental Reorganization shall be effective on the date of execution of the certificate of completion by the Executive Officer of the Stanislaus County Local Agency Formation Commission.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of this Governmental Reorganization is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of said Governmental Reorganization.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By George H. Eiser III
GEORGE H. EISER III, Assistant City Attorney

APPROVED AS TO DESCRIPTION:

By E. J. Walker
Public Works Department

June 1, 1981

CITY OF MODESTO
HATCH ROAD NO. 2 GOVERNMENTAL REORGANIZATION

All that real property in the State of California, County of Stanislaus, being a portion of the East half of the Northwest quarter of Section 8 Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Eastern boundary of the HATCH ROAD NO. 1 GOVERNMENTAL REORGANIZATION (431), as per description filed December 19, 1980, Instrument 38548, Stanislaus County Records, said point being on the center line of 90' Hatch Road;

1. thence along the existing City Limits on the Boundary of said REORGANIZATION (431), South 00" 26' 00" West 1895.99' to the Northern right of way line of Turlock Irrigation District Lateral Number 1;

2. thence continuing along the existing City Limits and boundary of said REORGANIZATION (431) and the Northern right of way line of Turlock Irrigation District Lateral Number 1, the following bearings and distances, North 26° 00' 00" East 171.60';

3. thence North 29° 00' 00" East 462.00';

4. thence North 35° 20' 00" East 87.98';

5. thence leaving existing City Limits and the Northern right of way line of Turlock Irrigation District Lateral Number 1, along the Eastern property line of the land conveyed to Leonard Pyle and Trellis Mae Pyle as joint tenants by deed recorded March 1, 1966, Instrument 7514, North 0° 4' 46" East, 1380.51' to the center line of 90' Hatch Road;

6. thence along the center line of Hatch Road South 71° 14' 42" West 356.60' to the point of beginning, containing 12.736 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-649

A RESOLUTION APPROVING ANNUAL BUDGET FOR THE GEER ROAD SANITARY LANDFILL, FISCAL YEAR 1981-82

WHEREAS, an agreement between the City of Modesto and the County of Stanislaus dated August 17, 1970, provides that the annual budget for the operation of the Geer Road Sanitary Landfill shall be approved by both the City and County legislative bodies; and

WHEREAS, the County of Stanislaus has submitted a proposed budget for 1981-82 totaling $1,036,000; and

WHEREAS, the proposed budget has been reviewed by both the Public Works and Finance Department staff personnel and recommendation made that the budget be approved.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the proposed annual budget for the operation of the Geer Road Sanitary Landfill for 1981-82 fiscal year in the amount of $1,036,000 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-650

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

WHEREAS, Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The Council of the City of Modesto upon its own motion hereby orders the installation of the improvements described in the notices which are attached hereto and incorporated by reference herein.

SECTION 2. The Superintendent of Streets is hereby directed to deliver, mail and post said notices in the manner specified in Sections 5876 through 5879 of the Streets and Highways Code.

SECTION 3. The 8th day of September , 1981 , at 7:30 o'clock p.m. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California is set as the time and place where the Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested person relating to the proposed work.

SECTION 4. The Superintendent of Streets is hereby authorized to implement the provisions of this resolution in accordance with the procedure contained in Chapter 27, Part 3, Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July , 1981 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

a) Sidewalk at 1540 Coffee Road, Lot 2 of Block 1212. (Baggett & Baggett)

b) Sidewalk at 1428 Coffee Road, a portion of Block 1179. (Joe Castiglione)

c) Sidewalk at 1534 Coffee Road, Lots 4 & 5 of Block 1212. (Zula H. Jenkins)

d) Sidewalk at 1437 Rose Avenue, Lot 14 of Block 1171. (Philip Emery)

e) Sidewalk along Coffee Road at 1304 E. Coolidge Avenue, a portion of Block 1179. (Vernal P. Thomas)

f) Curb and sidewalk at 224 Drake Avenue, a portion of Block 1193. (Ira Chambers)

g) Sidewalk at 160 Drake Avenue, a portion of Block 1193. (Raymond McNally)

h) Sidewalk at 114 Drake Avenue, a portion of Block 1192. (Leon R. Sharp)

i) Sidewalk at 126 Drake Avenue, a portion of Block 1192. (Talkington, Hanson, Talkington, Smith)

j) Sidewalk at 140 Drake Avenue, a portion of Block 1192. (Cora E. Wilson)

k) Sidewalk along Drake Avenue at 1432 McHenry Avenue, a portion of Block 1192. (Julius M. Ward)

l) Sidewalk along Standiford Avenue at 500 Standiford Avenue, a portion of Block 13017 (Velton D. Rogers)

m) Curb and sidewalk at 424 Standiford Avenue, a portion of Block 13042. (Wendell L. Young)

n) Curb and sidewalk at 810 Standiford Avenue, a portion of Block 13112. (L.R. Van Horn, Jr.)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-651

A RESOLUTION APPROVING A NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES BETWEEN THE CITY OF MODESTO AND THE COUNTY OF STANISLAUS FOR CERTAIN PROPOSED ANNEXATIONS.

WHEREAS, the City of Modesto and the County of Stanislaus have both approved a master agreement dated February 26, 1980, providing for the distribution of property tax revenues on jurisdictional changes, and

WHEREAS, it has been determined that the proposed annexations listed hereafter in this resolution have property value in excess of $500,000 assessed valuation and/or have twelve (12) or more registered voters, and

WHEREAS, it has been determined that extenuating circumstances exist with regard to these proposed annexations and that each should be negotiated separately, and

WHEREAS, annexations cannot become effective until agreement is reached by the City and County concerning the distribution of property taxes, and

WHEREAS, representatives of the County and City have met and discussed the exchange of property taxes,

NOW, THEREFORE, BE IT RESOLVED that should these annexations occur, "base" property taxes allocated between the City and the County within the new Tax Rate Areas formed will be in accordance with the percentages stipulated below:

	City of Modesto		County of Stanislaus	
Territory	Ratio	Tax Rate Area Allocation	Ratio	Tax Rate Area Allocation
Sunnyside No. 2	36%	12.588%	64%	22.379%
South Airport	50%	18.334%	50%	18.335%
North Airport	50%	18.334%	50%	18.335%
Edgebrook	43%	16.157%	57%	21.417%
Haddon-El Vista	43%	16.157%	57%	21.417%
Whitmore No. 3	35.1%	12.551%	64.9%	23.229%

BE IT FURTHER RESOLVED, that the Tax Rate Area percentages set forth above shall also govern the allocation of future property tax "increment" between the City and County.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to transmit certified copies of this resolution to the Executive Officer of LAFCO and the Board of Supervisors of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By George H. Eiser III
GEORGE H. EISER III, Assistant City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-652

A RESOLUTION ADOPTING AMENDED STANDARD SPECIFICATIONS FOR ALL IMPROVEMENTS WITHIN THE PUBLIC RIGHT-OF-WAY IN THE CITY OF MODESTO.

WHEREAS, Section 4-4.801 of the Modesto Municipal Code provides for the adoption by the City Council of "Standard Specifications of the City of Modesto" for improvements within the public right-of-way, said standard specifications to be prepared by the City Engineer and recommended by the Planning Commission, and

WHEREAS, the standard specifications for improvements within the public right-of-way currently in effect in the City of Modesto were adopted in 1980, and

WHEREAS, the City Engineer has recommended extensive amendments to the standard specifications which include approximately 12 additions, deletions, or revisions, and

WHEREAS, the proposed amendments are to accomplish numerous housekeeping changes and to refine the wording for technical requirements, and

WHEREAS, the proposed amendments were considered by the Construction Industry Liaison Committee and notices of an informal public hearing by the Planning Commission to consider the proposed amendments were sent to the Building Industry Association, Board of Realtors, Stanislaus County Public Works, and to local developers, engineers, and utility companies, and

WHEREAS, an informal public hearing to consider the proposed amendments was held by the Planning Commission on July 6, 1981, and

WHEREAS, the Planning Commission, by Resolution No. 81-174, adopted on July 6, 1981, recommended to the City Council the adoption of amended standard specifications for improvements within the public right-of-way in the City of Modesto as prepared by the City Engineer, and

WHEREAS, said proposed amended standard specifications for improvements within the public right-of-way in the City of Modesto as prepared by the City Engineer and recommended by the Planning Commission were considered by the City Council at its regular meeting on July 28, 1981, at which time the Council determined that the proposed amended standard specifications for improvements within the public right-of-way in the City of Modesto should be adopted as the Standard Specifications of the City of Modesto,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that pursuant to the provisions of Section 4-4.801 of the Modesto Municipal Code, that certain document entitled "Standard Specifications of the City of Modesto" dated 1981, copies of which are on file in the offices of the City Clerk, Planning Commission and City Engineer, are hereby adopted as the Standard Specifications for the City of Modesto for improvements in the public right-of-way.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 1981,

by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By George H. Eiser III
GEORGE H. EISER III, Assistant
City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-653

A RESOLUTION DENYING THE APPEAL OF MID-VALLEY ENGINEERING, ON BEHALF OF DAY-N-NITE MARKETS, TO A DECISION OF THE BOARD OF ZONING ADJUSTMENT DENYING A CONDITIONAL USE PERMIT IN THE H-1 ZONE TO DAY-N-NITE MARKETS FOR A CONVENIENCE MARKET AT THE SOUTHWEST CORNER OF PRESCOTT ROAD AND BUDD STREET.

WHEREAS, an application for a conditional use permit in the H-1 Zone to allow a convenience market and retail commercial building adjacent to an approved residential development, at the southwest corner of Prescott Road and Budd Street, was filed by Day-N-Nite Markets on June 1, 1981, and

WHEREAS, Sections 10-2.1904(a), 10-2.2004 and 10-2.2903 of the Modesto Municipal Code authorize the Board of Zoning Adjustment to grant H-1 conditional use permits, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on June 25, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, the Board of Zoning Adjustment by Resolution No. 994 found and determined that the applicant had failed to demonstrate the compatibility of the proposed use to other existing or potential uses within the general area in which such use is proposed to be located since the proposed use falls short of the standard rear setback/separation from the adjoining residential site, and

WHEREAS, an appeal was filed by Mid-Valley Engineering on behalf of Day-N-Nite Markets with the City Council of the City of Modesto on June 25, 1981, to the decision of the Board of Zoning Adjustment denying a conditional

use permit in the H-1 zone at the southwest corner of Prescott Road and Budd Street, and

WHEREAS, said matter was set for public hearing before the Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, at 4:00 o'clock p.m., on August 4, 1981, at which time evidence, both oral and documentary, was taken and introduced, and

WHEREAS, at said meeting said Council, after hearing evidence both oral and documentary, found and determined that said appeal to the finding of the Board of Zoning Adjustment, as set forth in its Resolution No. 994, should be denied and that the decision of the Board of Zoning Adjustment should be affirmed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal to the decision of the Board of Zoning Adjustment to its decision to deny a conditional use permit in the H-1 Zone to Day-N-Nite Markets for a convenience market at the southwest corner of Prescott Road and Budd Street is hereby denied for the reason set forth in the Board of Zoning Adjustment Resolution No. 994.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly

seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Patterson, Siefkin, Vice Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Muratore, Mayor Mensinger

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-654

A RESOLUTION DENYING THE APPEAL OF JOSEPH DE GIOVANNI TO A BOARD OF ZONING ADJUSTMENT DECISION DENYING A VARIANCE TO PERMIT RETENTION OF A RECREATIONAL VEHICLE STORAGE BUILDING ADDITION WITH 3 FOOT REDUCTIONS IN SIDE STREET AND FRONT YARD SETBACKS AT 1101 MONTE CRISTO AVENUE, AT THE NORTHWEST CORNER OF MONTE CRISTO AVENUE AND COLLEGE AVENUE.

WHEREAS, an application for variances from the provisions of Sections 10-2.505 and 10-2.509(b) of the Modesto Municipal Code to permit retention of a recreational vehicle storage building addition with 3 foot reductions in side street and front yard setbacks at 1101 Monte Cristo Avenue, at the northwest corner of Monte Cristo Avenue and College Avenue, was filed by Joseph De Giovanni on May 19, 1981, and

WHEREAS, Sections 10-2.1904(a) and 10-2.2001 of the Modesto Municipal Code authorize the Board of Zoning Adjustment to grant variances subject to findings specified in Section 10-2.2003, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on June 25, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, by Resolution No. 989 the Board of Zoning Adjustment denied the requested variances to permit retention of a recreational vehicle storage building addition with 3 foot reductions in side street and front yard setbacks at 1101 Monte Cristo Avenue, at the northwest corner of Monte Cristo Avenue and College Avenue, for the reason that the applicant failed to demonstrate the existence of the four conditions for a variance as required by Section 10-2.2003 of the Municipal Code, and

WHEREAS, an appeal was filed by Joseph Di Giovanni with the City Council of the City of Modesto on June 30, 1981, to the decision of the Board of Zoning Adjustment regarding the requested front yard setback, and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, at 4:00 p.m., on August 4, 1981, and

WHEREAS, at said meeting said Council, after hearing evidence both oral and documentary, found and determined that said appeal to the finding of the Board of Zoning Adjustment, as set forth in its Resolution No. 989, should be denied and that the decision of the Board of Zoning Adjustment should be affirmed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by Joseph De Giovanni to the Board of Zoning Adjustment decision denying a variance to permit retention of a recreational vehicle storage building addition with a 3 foot reduction in the front yard setback at 1101 Monte Cristo Avenue, at the northwest corner of Monte Cristo Avenue and College Avenue, is hereby denied for the reason set forth in the Board of Zoning Adjustment Resolution No. 989.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly

seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Murator, Siefkin, Vice Mayor Lang
NOES:	Councilmembers:	Patterson
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-655

A RESOLUTION DECLARING THAT A SUFFICIENT PROTEST HAS NOT BEEN MADE AGAINST THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS WOODLAND-BENNETT ANNEXATION AND ORDERING THE ANNEXATION OF SAID TERRITORY.

WHEREAS, by Resolution No. 81-604, adopted on July 7, 1981, the Council of the City of Modesto initiated proceedings to annex to the City of Modesto certain uninhabited territory known as WOODLAND-BENNETT ANNEXATION, and

WHEREAS, by said Resolution No. 81-604, the Council fixed the 4th day of August, 1981, at the hour of 4:00 o'clock P.M., in the Council Chanbers at the City Hall, located at 801 11th Street in the City of Modesto as the time and place for hearing protests against said annexation, and

WHEREAS, a copy of said Resolution No. 81-604 was duly published in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and in the County of Stanislaus, and being the official newspaper of the City of Modesto, said publications being commenced at least fifteen (15) days prior to the date set for the hearing, and

WHEREAS, the City Clerk has given notice to all persons legally entitled thereto, in the manner required by law, and

WHEREAS, on the 4th day of August, 1981, at the hour of 4:00 o'clock P.M., in the Council Chambers at the City Hall, 801 11th Street, in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation, and

WHEREAS, written protests have not been filed by the owners of fifty (50%) percent of the total assessed value of land and improvements within the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and

private owners of one-half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by Resolution dated June 17, 1981, ordered that a negative declaration be filed as to the environmental effect of the subject annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All of the requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the Woodland-Bennett Annexation, is uninhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. Said territory is hereby annexed to and made a part of the City of Modesto.

5. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate

of completion by the LAFCO executive officer.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of the subject annexation is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of said annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

February 23, 1981
Corrected April 29, 1981

CITY OF MODESTO
WOODLAND-BENNETT
ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 24, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described ad follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the ROSEMORE-WOODLAND ADDITION (347) as per description filed October 14, 1976, as Instrument 19721, Stanislaus County Records, said point being on the South line of Section 24 and the center line of 40 foot Woodland Avenue;

1. thence along the existing City Limits on the boundary of ADDITION (347) the following bearings and distances, North 01° 06' 52" West, 190.00 feet;

2. thence North 88° 36' 41" East, 15.00 feet;

3. thence North 01° 06' 52" West, 173.00 feet;

4. thence North 88° 36' 41" East, 118.00 feet;

5. thence North 01° 06' 52" West, 300.84 feet;

6. thence leaving the existing City Limits, North 88° 34' 55" East, 155.00 feet;

7. thence South 01° 06' 52" East, 663.92 feet, to the South line of Section 24 and the center line of 40 foot Woodland Avenue;

8. thence along said South line and center line, South 88° 36' 41" West, 288.00 feet, to the point of beginning, containing 3.411 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-656

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (312).

WHEREAS, a verified application for an amendment to Section 19-3-10 of the Zoning Map was filed by Parker Road Ranches on May 1, 1981, to reclassify from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D, the following described property:

R-1 to P-D

ALL that certain real property situate in a portion of the Northwest Quarter of Section 19, Township 3 South, Range 10 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the Northwest corner of Section 19, aforesaid and running thence South 0°44' West, 1322.03 feet along the West line of said Section 19, to the quarter quarter corner; thence South 88°45' East, 1357.35 feet along the quarter quarter Section line to the Southeast corner of the Northwest quarter of the Northwest quarter of said Section 19, being also the Southwest corner of that certain tract of land conveyed to A. T. Terry, by Deed recorded in Volume 813 of Official Records, at page 193; thence North 0°49' East along the West line of said Terry land, 635.00 feet to the true point of beginning of this description; said point of beginning being also the Northwest corner of property conveyed to C. E. Long, et al., by Deed recorded November 30, 1948, Instrument No. 25120; thence South 88°45' East, along the North line of said Long property, 445 feet to the Southwest corner of property conveyed to M. L. Cleveland by Deed recorded May 23, 1956, as Instrument No. 12410; thence North 0°49' East, along the West line of said Cleveland property, 574.56 feet to a point in the South line of a 40 foot County Road known as Parker Road, said point being also the Northwest corner of said Cleveland property; thence North 88°54'30" West along the South line of said Parker Road, 445 feet to the Northwest corner of the above mentioned Terry land; thence South 0°49' West, along the West line of said Terry land, 571.50 feet to the true point of beginning.

Including also all of Parker Road and the Southern 70.00 feet of 140.00 foot wide Modesto Irrigation District Lateral No. 3 immediately adjacent to the above described property.

WHEREAS, after public hearing held on July 6, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed density of the project conforms to the Lakewood East Neighborhood Zoning and Development Policy.

2. The site design is acceptable and the development will be compatible with other potential residential development in the area.

WHEREAS, after a public hearing held on August 4, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Parker Road Ranches for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2066-C.S. on the 4th day of August, 1981, reclassifying the above-described property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D (312).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(312) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan and floor plans titled "Parker Ranch, Modesto, California" as amended in red, stamped approved by the Planning Commission on July 6, 1981.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code.

3. Fencing shall be constructed prior to occupancy and shall be as follows:

   a. 6 foot decorative masonry wall along the south, east and west periphery.

   b. 7 foot solid wall or fence around the front and rear patios of each unit.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. The developer shall dedicate and/or improve sufficient right-of-way as required by the Director of Public Works to complete Parker Road to a major street standard prior to occupancy or upon demand by the City, whichever occurs first.

6. All private streets and parking areas shall be constructed in accordance with the standard structural section for residential streets as contained in the City of Modesto Standard Specifications.

7. The development shall be served by positive storm drainage as required by the Director of Public Works.

8. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

9. All utilities shall be underground and cable television service shall be stubbed into all units.

10. All signs shall comply with the sign requirements of the R-2 Zone.

11. Prior to the issuance of a building permit for any structure, a subdivision map shall be recorded.

12. The applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. Hydrants shall be installed and operable prior to construction of any structures.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (312):

Construction to begin on or before January 15, 1983, and completion to be not later than January 15, 1986.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (312) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Brinda
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-657

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 19-3-10 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (PARKER ROAD RANCHES)

WHEREAS, on August 4, 1981, the City Council introduced Ordinance No. 2066-C.S. giving approval to a project relating to an amendment to Section Map 19-3-10 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(312), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 19-3-10 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(312).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-658

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (313).

WHEREAS, a verified application for an amendment to Section 23-3-9 of the Zoning Map was filed by Sonoma Glen Investment Group - KFIV on June 1, 1981, to reclassify from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D, the following described property:

All that real property situate in the north half of Section 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Beginning at the southeast corner of the East 490 feet of the South 504 feet of the West half of Lot 5 of the O. McHenry Ranch as shown in Volume 2 of Maps at Page 7, Stanislaus County Records, said point being on the centerline of present 60 foot wide Orangeburg Avenue; thence North 89°27'15" West on the south line of said East 490 feet of the South 504 feet of the West half of said Lot 5 and the centerline of said Orangeburg Avenue, 490.04 feet to the southwest corner of the East 490 feet of the South 504 feet of the West half of said Lot 5; thence North 0°14'00" West on the west line of the East 490 feet of the South 504 feet of the West half of said Lot 5, a distance of 136.22 feet to the beginning of a curve concave to the north having a radius of 180 feet, a central angle of 97°00'06" and from which point the radius point of said curve bears North 48°11'29" East; thence southeasterly and northeasterly on the arc of said curve 304.74 feet to a point of cusp with a curve concave to the north having a radius of 180 feet a central angle of 101°24'29" and from which point the radius point of said curve bears North 11°57'14" East; thence southeasterly and northeasterly on the arc of said curve 318.58 feet; thence South 89°27'15" East 2.39 feet to the east line of the East 490 feet of the South 504 feet of the West half of said Lot 5; thence South 0°14'00" East on said east line 316.71 feet to the point of beginning of this description.

WHEREAS, after public hearing held on July 6, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The P-D zone will allow an upgrading of an existing nonconforming use which, due to its unusual commitment to the adjoining land, is very likely to remain indefinitely.

2. The site plan is superior, offering better fencing, screen and mounded landscaping, and a better parking and driveway pattern, all to assume compatibility with nearby and adjoining residential development.

WHEREAS, after a public hearing held on August 4, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Sonoma Glen Investment Group - KFIV for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2067-C.S. on the 4th day of August, 1981, reclassifying the above-described property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D (313).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(313) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan titled "KFIV and K102 - Sonoma Glen Investment Group" as amended in red, stamped approved by the Planning Commission on July 6, 1981.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code. Screen landscaping shall be installed along the easterly property line.

3. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. The developer shall dedicate and/or improve sufficient right-of-way as required by the Director of Public Works to complete E. Orangeburg Avenue to a collector street standard prior to occupancy or upon demand by the City, whichever occurs first.

5. The required public street improvements shall be constructed prior to occupancy of any structures, or by not later than January 1, 1985, whichever time occurs first.

6. Prior to issuance of a building permit, street improvement plans shall be approved by the Director of Public Works.

7. Prior to issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the Director of Public Works.

8. Drainage shall be provided as required by the Director of Public Works.

9. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

10. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

11. All signs shall comply with the sign requirements of the P-O Zone.

12. Prior to issuance of a building permit, the developer shall pay the City of Modesto the cost of planting street trees, the number as determined by the Director of Public Works.

13. All curbcuts serving two-way driveways shall be widened to 41 feet in width.

14. The applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. Hydrants shall be installed and operable prior to construction of any structures.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (313):

Construction to begin on or before January 1, 1984, and completion to be not later than January 1, 1985.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (313) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Bright, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Nichols
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-659

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 23-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (SONOMA GLEN INVESTMENT GROUP - KFIV)

WHEREAS, on August 4, 1981, the City Council introduced Ordinance No. 2067-C.S. giving approval to a project relating to an amendment to Section Map 23-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(313), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 23-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(313).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-660

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR DOWNTOWN ALLEY RECONSTRUCTION - PHASE 3

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for downtown alley reconstruction - Phase 3

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on August 18, 1981, at 11:05 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-661

A RESOLUTION ACCEPTING THE BID OF WILCO CONSTRUCTION FOR MCHENRY MANSION RESTORATION, PHASE 1

WHEREAS, Resolution No. 81-530, adopted by the Council of the City of Modesto on June 23, 1981, approved the plans and specifications for the McHenry Mansion restoration, Phase 1 and authorized the calling for bids; and

WHEREAS, the bids received for the McHenry Mansion Restoration, Phase 1 were opened at 11:00 a.m. on July 28, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Wilco Construction in the amount of $395,600 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Wilco Construction in the amount of $395,600 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-662

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $19,500 FOR IMPROVEMENTS TO PARKING LOT NO. 2 ON NINTH STREET BETWEEN I AND J STREETS

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Reserves (61.10-8911-13)	$19,500
TO:	9th St. Attendant Parking Lot Improvements (6460.00)	$19,500

Bids for this project were 4.3% over estimate. In addition, a separate unfunded bid item was included in thie bid proposal which should be funded now.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th **day of** August, 19 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-663

A RESOLUTION ACCEPTING THE BID OF LEE WHITE PAVING COMPANY FOR IMPROVING THE ATTENDANT PARKING LOT ON NINTH STREET, BETWEEN I AND J STREETS

WHEREAS, Resolution No. 81-531, adopted by the Council of the City of Modesto on June 23, 1981, approved the plans and specifications for the improving of City Parking Lot 2, located on Ninth Street between I and J Streets and authorized the calling for bids; and

WHEREAS, the bids received for the improving of attendant parking lot No. 2 on Ninth Street, between I and J Streets were opened at 2:00 p.m. on July 28, 1981, and later tabulated by the Director of ~~Parking~~ Traffic and / for the consideration of the Council; and

WHEREAS, the Director of ~~Parking~~ Traffic and / has recommended that the bid of Lee White Paving Company in the amount of $36,500 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Lee White Paving Company in the amount of $36,500 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-664

A RESOLUTION ACCEPTING THE BID OF GEORGE REED, INC. FOR OFF-SITE IMPROVEMENTS AT ATTENDANT PARKING LOT NO. 2 ON NINTH STREET, BETWEEN I AND J STREETS

WHEREAS, Resolution No. 81-531, adopted by the Council of the City of Modesto on June 23, 1981, approved the plans and specifications for the off-site improvements to Parking Lot No. 2 on Ninth Street, between I and J Streets and authorized the calling for bids; and

WHEREAS, the bids received for the off-site improvements (sidewalk, curb, and gutter) at Parking Lot No. 2 on Ninth Street, between I and J Streets were opened at 2:00 p.m. on July 28, 1981, and later tabulated by the Director of Traffic Parking and/for the consideration of the Council; and

WHEREAS, the Director of Traffic Parking and / has recommended that the bid of George Reed, Inc. in the amount of $13,500 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of George Reed, Inc. in the amount of $13,500 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-665

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RECREATION SYSTEMS, INC., TO PREPARE A MASTER PLAN FOR THE TUOLUMNE RIVER REGIONAL PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Recreation Systems, Inc., to prepare a master plan for the Tuolumne River Regional Park - south bank of the Tuolumne River between Carpenter Road and 99 Freeway, and to review the area between Conejo and the Yacht Club to include the American Legion Hall **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th **day of** August, **19**81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-666

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND REMCON FOR WORK EXPERIENCE WORKSITE - WASTEWATER TREATMENT PLANT TRAINEES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and REMCON, a division of REM Corporation **for** providing work experience worksite - wastewater treatment plant trainees **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th **day of** August, **19** 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-667

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RICHARD D. AND JOANNE HYMAN FOR LEASE OF A LOT LOCATED ON WEST HATCH ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Richard and Joanne Hyman **for** lease of a lot located on West Hatch Road, property to be part of Tuolumne River Regional Park **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th **day of** August, **19** 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-668

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ROBERT L. CRISP FOR AN APPRAISAL OF THE WASHINGTON SCHOOL SITE AND FIVE OTHER SURROUNDING PARCELS FOR POSSIBLE EXPANSION OF MODESTO HIGH SCHOOL

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Robert L. Crisp

for an appraisal of the Washington School site and five other surrounding parcels for possible expansion of Modesto High School

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th **day of** August, **19**81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-669

A RESOLUTION ACCEPTING IMPROVEMENTS IN MOUNTAIN HOME ESTATES SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, J & K Development Company , subdividers of Mountain Home Estates Subdivision , have filed Instruments of Credit for faithful performance and labor and materials in the amount of $630,200.00 and $315,100.00 respectively to guarantee improvements in Mountain Home Estates ; and

WHEREAS, the Director of Public Works in a memorandum dated July 27, 1981 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Instruments of Credit upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Mountain Home Estates Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit for faithful performance in the amount of $630,200.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Instrument of Credit for labor and materials in the amount of $315,100.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August , 1981 by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-670

A RESOLUTION APPROVING THE APPLICATION FOR LAND AND WATER CONSERVATION FUNDS FOR FAIRWAY NEIGHBORHOOD PARK AND SOCCER FIELD DEVELOPMENT PROJECT.

WHEREAS, the Congress under Public Law 88-578 has authorized the establishment of a Federal Land and Water Conservation Fund Grant-In-Aid Program, providing matching funds to the State of California and its political subdivisions for acquiring lands and developing facilities for public outdoor recreation purposes; and

WHEREAS, the State Department of Parks and Recreation is responsible for the administration of the program within the State, setting up necessary rules and procedures governing application by local agencies under the program; and

WHEREAS, said adopted procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of applications and the availability of local matching funds prior to submission of said applications to the State; and

WHEREAS, the proposed Fairway Neighborhood Park and Soccer Field Development project is consistent with the California Outdoor Recreation Resources Plan; and

WHEREAS, the project must be compatible with the land use plans of those jurisdictions immediately surrounding the project;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto hereby:

1. Approves the filing of an application for Land and Water Conservation Fund assistance.

2. Certifies that said agency has matching funds from the source of sales tax, and can finance 100 percent of the project, half of which will be reimbursed.

3. Certifies that the project is compatible with the land use plans of those jurisdictions immediately surrounding the project.

4. Appoints the City Manager as agent of the City to conduct all negotiations, execute and submit all documents including but not limited to applications, agreements, amendments, billing statements, and so on which may be necessary for the completion of the aforementioned project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-671

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE FIREMENS FUND INSURANCE COMPANY FOR THE ANNUAL RENEWAL OF SCHEDULED PROPERTY FLOATER POLICY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and The Firemens Fund Insurance Company through Giddings, Corby & Hynes Agency **for** the annual renewal of Scheduled Property Floater Policy

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th **day of** August, **19** 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-672

A RESOLUTION ADOPTING AIRPORT WAY AS THE OFFICIAL NAME FOR THE NEW AIRPORT ACCESS ROAD WHICH EXTENDS SOUTH FROM TENAYA DRIVE WEST OF MITCHELL ROAD.

WHEREAS, Mitchell Road access to Modesto City-County Airport/ Harry Sham Field terminal building has recently been replaced by a new access road which extends south from Tenaya Drive opposite Spenker Avenue, and

WHEREAS, said access road will eventually extend further south parallel to Mitchell Road and connect to Mitchell Road opposite Riverside Drive, and

WHEREAS, said access road is a "private" road subject to revocation of access, but it will function like a public street, and

WHEREAS, the Airport Advisory Committee has recommended that said access road be officially named "Airport Way", and

WHEREAS, the Stanislaus County Planning Department has found no existing conflict of the proposed name with existing street names,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. That the name of the access road at the Modesto City-County Airport/Harry Sham Field which extends south from Tenaya Drive opposite Spenker Avenue be officially named "Airport Way".

2. That the Director of Parking and Traffic be directed to erect street name signs accordingly.

3. That the City Clerk be directed to record a certified copy of this resolution with the Recorder of Stanislaus County and transmit a copy of this resolution to the Board of Supervisors, the County Clerk, and the County Surveyor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Siefkin, Vice Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-673

A RESOLUTION INCREASING THE AMOUNT IN THE PETTY CASH REVOLVING FUND BY $185 AND AUTHORIZING THE TRANSFER OF $185 FROM THE GENERAL FUND TO THE PETTY CASH REVOLVING FUND.

WHEREAS, increased operations and inflation have caused a need to expand the Petty Cash Revolving Fund, and

WHEREAS, it is desirable and necessary that the amount in the Petty Cash Revolving Fund be increased to provide change for cashiering as well as for reimbursements, and to meet current needs for more frequent use of petty cash,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The amount of $185 be transferred from the General Fund (Fund No. 01) to the Petty Cash Revolving Fund (Fund No. 02) to provide monies for cashiering as well as for reimbursements, and to meet current needs for more frequent use of petty cash.

2. The Director of Finance is hereby authorized to transfer $185 from the General Fund (Fund No. 01) to the Petty Cash Revolving Fund (Fund No. 02).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-674

A RESOLUTION OF APPLICATION BY THE COUNCIL OF THE CITY OF MODESTO TO ANNEX CERTAIN TERRITORY, HEREINAFTER DESCRIBED AND DESIGNATED AS THE HADDON-EL VISTA ANNEXATION TO THE CITY OF MODESTO; AND AUTHORIZING AND DIRECTING THE CITY CLERK TO SUBMIT SUCH PROPOSAL TO THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA.

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That the Council of the City of Modesto, for the reasons hereinafter set forth, hereby proposes proceedings to annex to the City of Modesto all of the territory hereinafter described, in accordance and in compliance with the provisions of the Municipal Organization Act, Part 2 of Division 2 of Title 4 of the Government Code of the State of California.

SECTION 2. That the Council's reasons for proposing said annexation proceedings are as follows: That the annexation of the hereinafter described territory will contribute to the orderly growth of the City and provide proper land use in conformity with the General Plan and the zoning regulations of the City of Modesto.

SECTION 3. That the territory which the Council proposes to annex is hereby identified as the Haddon-El Vista Annexation to the City of Modesto as shown on the map attached hereto as Exhibit "A", and said territory consists of all that real property situate in the County of Stanislaus, State of California, more particularly described as follows:

HADDON-EL VISTA
ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of Sections 26 and 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southwestern corner of the Riverside No. 5 Addition (269), as per description filed May 5, 1971, as Instrument 16247, Stanislaus County Records;

1. thence along the existing City Limits and the Southern line of said Addition (269), South 89° 57' 10" East, 656.84 feet, to a Northwestern corner of the Riverside Addition (228) as per description filed March 24, 1969, as Instrument 9772, Stanislaus County Records;

2. thence continuing along the existing City Limits and the Western line of said Addition (228), South 00° 34' 45" East, 670.38 feet, to a Northeastern corner of the Glendale-Miller Addition (287), as per description filed May 3, 1972, as Instrument 17664, Stanislaus County Records;

3. thence continuing along the existing City Limits along the Northern line of said Addition (287), and the center line of 60 foot Haddon Avenue, the following bearings and distances, North 89° 56' 10" West, 536.73 feet;

4. thence South 80° 33' 25" West, 121.27 feet to the center line of 60 foot Trask Lane;

5. thence North 89° 56' 10" West, 1313.45 feet to the center line of 60 foot El Vista Avenue and the section line of Section 26 and 27;

6. thence North 89° 46' 00" West, 164.41 feet to a point on the Eastern line of the LaLoma-Yosemite Addition (55) as per description filed December 4, 1953, as Instrument 30045, Stanislaus County Records;

7. thence along the existing City Limits and the Eastern line of said Addition (55), North 00° 36' 30" West, 679.10 feet to a Southwestern corner of the El Vista School Addition (232), as per description filed June 2, 1969, as Instrument 19184, Stanislaus County Records;

8. thence along the Southern line of said Addition (232), and the center line of 60 foot Roble Avenue, South 89° 46' 00" East, 164.34 feet, to the center line of 60 foot El Vista Avenue;

9. thence South 00° 36' 30" East, 109.99 feet, along said center line and the North-South section line of Sections 26 and 27, to the center line of 60 foot Roble Avenue;

10. thence continuing along the existing City Limits, along said center line of Roble Avenue, South 89° 56' 10" East, 656.73 feet, to the center line of 60 foot Colfax Avenue;

11. thence along the Eastern line of said Addition (232) and the center line of said 60 foot Colfax Avenue, North 00° 35' 55" West, 70.90 feet;

12. thence leaving the existing City Limits, along the center of 60 foot Roble Avenue, South 89° 56' 10" East, 656.83 feet, to the center line of 60 foot Trask Lane;

13. thence along said center line North 00° 35' 20" West, 50.19 feet, to the point of beginning, continuing 30.924 Acres, more or less.

SECTION 4. That the Council hereby makes application for and requests that proceedings be taken for annexation of the hereinabove described territory to the City of Modesto.

SECTION 5. That the attached "PLAN FOR PROVIDING SERVICES - HADDON-EL VISTA ANNEXATION" marked Exhibit "B" is hereby submitted as the plan of the City of Modesto for providing services within the above described territory.

SECTION 6. That the City Clerk of the City of Modesto is hereby authorized and directed to submit to the Local Agency Formation Commission of the County of Stanislaus, State of California, on behalf of the Council of the City of Modesto, this Resolution of Application to annex to the City of Modesto the aforesaid territory in accordance with the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

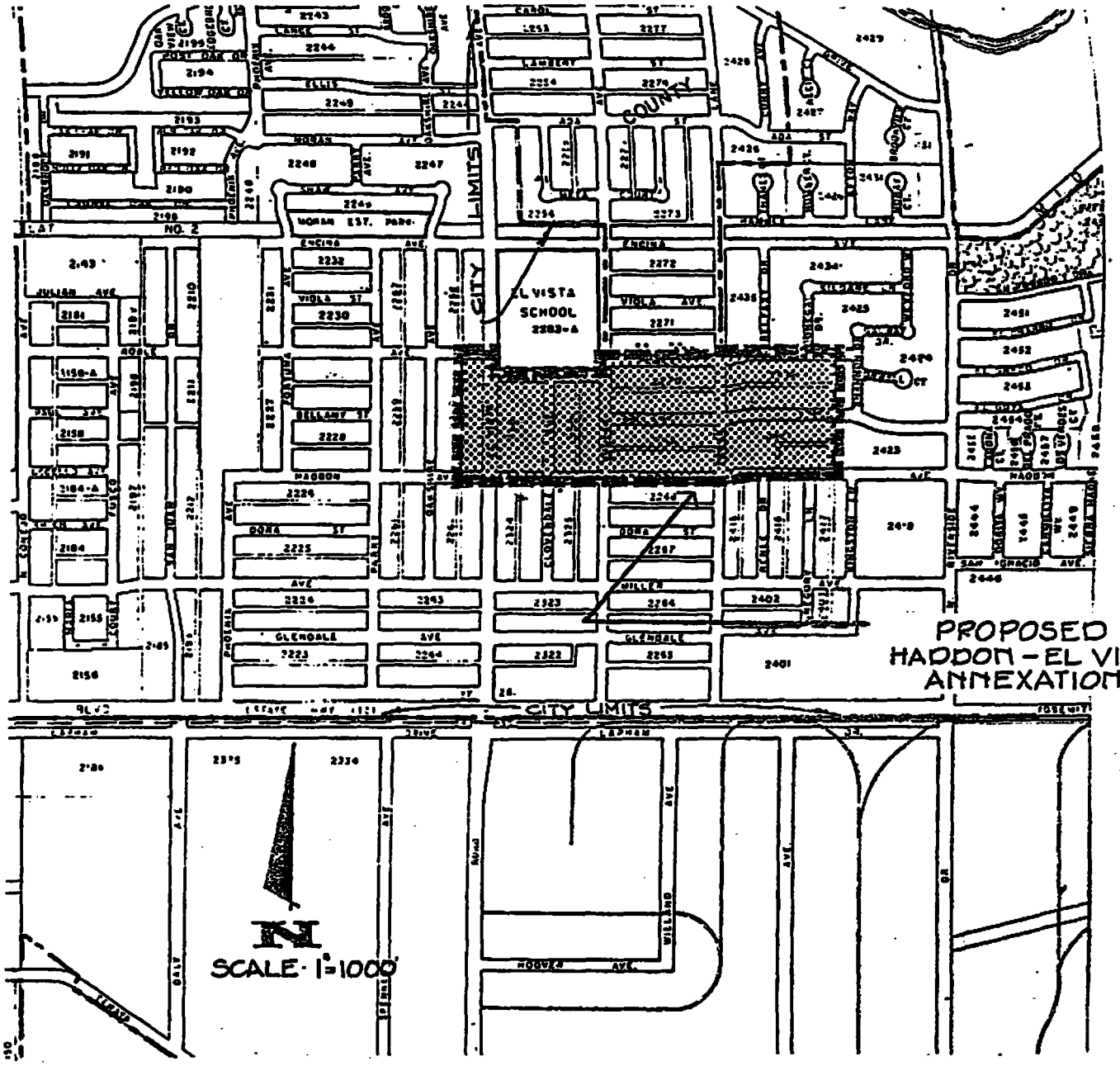
(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department



PROPOSED HADDON-EL VISTA ANNEXATION

TO THE CITY OF MODESTO

EXHIBIT "A"

PLAN FOR PROVIDING SERVICES - HADDON-EL VISTA ANNEXATION

Modesto Department of Planning and Community Development
AUGUST 4, 1981

Upon completion of annexation to the City of Modesto, the following services will be made available or extended to properties in the annexation area in the manner indicated:

1. FIRE PROTECTION: Upon annexation the property will be withdrawn from the Empire Fire Protection District and fire protection will be provided by the Modesto Fire Department. Primary fire response would come from Fire Station No. 3 near the intersection of Edgebrook & El Vista Ave. This service would be extended upon the effective date of annexation.

2. POLICE PROTECTION: Modesto City Police would assume responsibility for police protection upon the effective date of annexation.

3. GARDEN REFUSE PICKUP: Weekly garden refuse pickup would be extended to the area upon the effective date of annexation. There is no separate charge for this service.

4. SANITARY SEWER SERVICE: The City of Modesto anticipates that an improvement district will be formed and that the sewer will be available within one to five years after the annexation is effective. The existing dwellings within the annexation area would be required to connect to the sewer system within five years from the time the sewer becomes available. The total cost of connecting to the sewer system will be about $2,900 and may be financed as follows:

   a. Actual construction of sewer laterals and house wyes will cost about $1,635 and will be accomplished by the formation of an improvement district. Financing through improvement district bonds can be for 15 years.

   b. Bond redemption fees and subtrunk charges will total about $495 and can be financed by the City of Modesto for a period of two years at 7 percent simple interest. (Payable bimonthly with sewer bill.)

   c. Remaining costs - The actual cost of connecting the home to a sewer lateral will be about $770, to be paid by the property owner at time of connection.

5. WATER SERVICE: The annexation area is presently served by the Del Este Water Company and there would be no change in this service after annexation.

6. GARBAGE: The annexation area will continue to be served by Airport Garbage Company after annexation. The resident/property owner will be billed bi-monthly by the City. The rates will be: One can .. $3.75, Two cans .. $5.65 per month.

EXHIBIT "B"

(23)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-675

A RESOLUTION APPROVING THE FINAL MAP OF THE VINTAGE GROVE CONDOMINIUMS SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Oakhurst Development Company, a California limited partnership, is/are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 10.643 acres, known as the Vintage Grove Condominiums Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 19th day of May, 1980, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Vintage Grove Condominiums Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct, and

WHEREAS, all requirements of the California Subdivision Map Act regarding notice to tenants of the condominium conversion have been complied with, or conditions found excusing such compliance, and

WHEREAS, all public improvements required by the City of Modesto have been completed in said tract,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the improvements completed in said tract be accepted; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal

Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-676

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 201 CORSON AVENUE (WILLIAM H. AMEND - $880.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on February 24, 19 81, adopt its Resolution No. 81-131, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, August 11, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $880.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $880.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 9 of Block 655 of Corson Tract as per map filed Oct. 16, 1941 in Vol. 14 of Maps, Pg. 19, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 112-0518-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-677

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 158 CORSON AVENUE (DENNY BROOKS - $1,660.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on February 24, 19 81, adopt its Resolution No. 81-131, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, August 11, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,660.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,660.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 152' of Lot 6 of Bl. 651 of Fairmont Tract as per map filed 12/27/11 in Vol. 6 of Maps, Pg. 12, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 112-4566-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-678

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 816 SIERRA DRIVE (VICTOR M. BROWN - $610.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on April 10, 19 79, adopt its Resolution No. 79-325, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb on property abutting the property hereafter described; and

WHEREAS, August 11, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $610.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $610.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 65.06' of Lots 1 and 2 of Block 327 of City of Modesto as per map filed 12/21/42 in Vol. 15 of Maps, Pg. 327, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-0832-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-679

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 126 CORSON AVENUE (JON CAMP - $1,015.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on February 24, 19 81, adopt its Resolution No. 81-131, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, August 11, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,015.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,015.00, shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 66' of the North 160' of Lot 3 of Block 651 of Fairmont Tract as per map filed 12/27/11, in Vol. 6 of Maps, Pg. 12, Stan. Cty. Records.

(Stan. Cty. Assessors Parcel No. 002-01 112-4504-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-680

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 216 EAST COOLIDGE AVENUE (CENTRAL CALIFORNIA CONFERENCE ASSOC. OF THE SEVENTH DAY ADVENTIST - $1,927.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19----, adopt its Resolution No. ----------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, August 11, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,927.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,927.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 68' of the South 170' of the North 190' of Lot 10 of Coolidge Colony as per map filed 11/15/10 in Vol. 5 of Maps, Pg. 17, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 031-0360-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-681

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 233 E. ORANGEBURG AVENUE (NORTH MODESTO FREEWILL BAPTIST CHURCH - $1,517.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on October 14, 1980, adopt its Resolution No. 80-1048, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, August 11, 1981, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,517.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,517.00, shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 132' of the North 290' of the South 330' of Lot 10 of Coolidge Colony as per map filed 11/15/10 in Vol. 5 of Maps, Pg. 17, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 031-0345-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-682

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 1601 SPOKANE AVENUE (JESUS CISNEROS - $2,180.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19----, adopt its Resolution No. ----------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, August 11, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $2,180.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $2,180.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Bl. 9009 of South Modesto Acres Tract No. 3 as per map filed Oct. 23, 1946, in Vol. 14 of Maps, Pg. 7, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 080-03 056-1627-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-683

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 216 DRAKE AVENUE (WILLIAM H. COVEY - $900.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and waived by property owner

WHEREAS, the Council did, on _____, 19____, adopt its Resolution No. ---------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, August 11, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $906.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $906.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 90' of the North 330' of the East 64' of the West 132' of Lot 10 of Coolidge Colony as per map filed Nov. 15, 1910 in Vol. 5 of Maps, Pg. 17, Stan. Cty. Records.
(Stan. Cty. Assessor's Parcel No. 002-01 031-0352-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-684

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 125 HINTZE AVENUE (ROSE GELLER - $1,610.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19----, adopt its Resolution No. ----------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, August 11, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,610.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,610.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Commencing at the N/W corner of Lot 18 of High Homes Tract as per map filed 1/28/20 in Vol. 9 of Maps, Pg. 24, Stan. Cty. Records; thence S. 88° 12' E., 248.83' to the true point of beginning; thence, S. 223'; thence, N. 88° 57' E. 21'; thence N. 80° 57' E. 60'; thence N. 212';thence S. 88° 12' W. 80' to the true point of beginning.
(Stan. Cty. Assessor's Parcel No. 002-01 112-1307-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate ofseven(7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-685

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 3437 SCENIC DRIVE (HENRY W. HARRISON-$3,180.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19---, adopt its Resolution No, ----------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, August 11, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $3,180.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $3,180.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcel "A" of Parcel Maps filed December 6, 1974 in Book 20 of Parcel Maps, Page 34, Stan. Cty. Records.
(Stan. Cty. Assessor's Parcel No. 002-01 068-0644-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-686

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 130 CORSON AVENUE (WILLIAM H. HEAGERTY - $955.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on February 24, 19 81, adopt its Resolution No. 81-131, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, August 11, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $955.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $955.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 61' of the North 155' of Lot 4 of Block 651 of Fairmont Tract as per map filed 12/27/11 in Vol. 6 of Maps, Pg. 12, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 112-4505-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-687

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 222 E. COOLIDGE AVENUE (CLYDE HOLMES - $1,802.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19----, adopt its Resolution No, ----------; ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, August 11, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,802.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,802.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The E. 64' of the W. 132' of the South 170' of the N. 190' of Lot 10 of Coolidge Colony as per map filed 11/15/10 in Vol. 5 of Maps, Pg. 17, Stan. Cty. Records.
(Stanislaus County Assessor's Parcel No. 002-01 031-0359-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-688

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 213 CORSON AVENUE (JAMES W. JONES, JR., JENNETTE P. JONES, LYNDEN C. PROCTOR AND MARCIA N. PROCTOR - $880.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19----, adopt its Resolution No. ----------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, August 11, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $880.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $880.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 12 of Block 655 of Corson Tract as per map filed Oct. 16, 1941 in Vol. 14 of Maps, Pg. 19, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 112-0515-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-689

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 215 CORSON AVENUE (MARY L. KUYKENDALL - $910.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on February 24, 19 81, adopt its Resolution No. 81-131, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, August 11, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $910.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $910.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 13 of Bl. 655 of Corson Tract as per map filed Oct. 16, 1941 in Vol. 14 of Maps, Pg. 19, Stanislaus County Records.

(Stan. Cty. Assessor's Parcel No. 002-01 112-0514-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle

NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-690

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 835 ILA WAY (AUGUSTINE F. LOMBARDO - $3,221.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19----, adopt its Resolution No. ----------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, August 11, 1981, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $3,221.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $3,221.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 and 2 of Block 621 of Lesliehugh Tract as per map filed 3/31/31 in Vol. 11 of Maps, Pg. 19, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 112-1410-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-691

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 221 CORSON AVENUE (GARY R. MENDIZZA - $910.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and waived by property owner

WHEREAS, the Council did, on ----------, 19---, adopt its Resolution No, ----------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, August 11, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $910.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $910.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 14 of Block 655 of Corson Tract as per map filed 10/16/41 in Vol. 14 of Maps, Pg. 19, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 112-0513-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-692

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 2113 PRESCOTT ROAD (ANDREW E. PERRY - $1,010.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19----, adopt its Resolution No. ----------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, August 11, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,010.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,010.00, shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Beginning at the Southeast corner of Lot 1 of Block 6424 of Prescott Homes as per map filed Sept. 20, 1977 in Vol. 27 of Maps, Pg. 12, Stan. Cty. Records; thence West 320.51'; thence South 88'; thence East 319.87'; thence North 88' to the point of beginning.
(Stan. Cty. Assessor's Parcel No. 002-09 005-6798-271)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-693

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 515 E. ORANGEBURG AVENUE (HARLEY A. STEWART, AND HARLEY A. STEWART, JR. - $1,505.00

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on October 14, 1980, adopt its Resolution No. 80-1048, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, August 11, 1981, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,505.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,505.00, shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Commencing at the S/W corner of the S/E quarter of the N/E quarter of the N/W quarter of Sec. 21, T.3, S., R.9 E., M.D.B. & M.; thence N. 40'; thence E. 120' to the true point of beginning; thence N. 177'; thence E. 54'; thence N. 179'; thence E. 160'; thence S. 132'; thence W. 10'; thence S. 224'; thence W. 200' to the true point of beginning.
(Stan. Cty. Assessor's Parcel No. 002-01 031-0657-003)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-694

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 218 E. ORANGEBURG AVENUE (JIM D. WEBB - $855.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on October 14, 19 80, adopt its Resolution No. 80-1048, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, August 11, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $855.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $855.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

'Lot 1, 2 and the North 10' of Lot 3 of Bl. 1135 of Mensinger Tract No. 4 as per map filed Aug. 1, 1946 in Vol. 14 of Maps, Pg. 68, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 031-1201-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-695

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 1305 SUNRISE AVENUE (KARL E. WELLMAN - $1,154.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on February 24, 19 81, adopt its Resolution No, 81-131, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, August 11, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,154.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,154.00, shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The S. 89' of the E. 145' of the W. 165' of Lot 28 of Mensinger Colony as per map filed May 18, 1909, in Vol. 4 of Maps, Pg. 25, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 031-1406-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-696

A RESOLUTION DENYING THE APPEAL OF MICHAEL TEDESCO FOR AN AMENDMENT TO A CONDITIONAL USE PERMIT IN THE H-1 ZONE FOR EXTENSION OF BUSINESS HOURS FROM 10 P.M. CLOSING TO 12 MIDNIGHT CLOSING ON FRIDAYS AND SATURDAYS, FOR THE McHENRY STATION RESTAURANT, WHICH OCCUPIES A PORTION OF THE BUILDING LOCATED AT 2501 McHENRY AVENUE IN THE CITY OF MODESTO.

WHEREAS, an application was filed by Michael Dennis Tedesco on May 28, 1981, for an amendment to a conditional use permit in the H-1 Zone for extension of business hours from 10 p.m. closing to 12 midnight closing, on Fridays and Saturdays only, for the McHenry Station Restaurant, which occupies a portion of the building located at 2501 McHenry Avenue in the City of Modesto, for which a conditional use permit was granted on March 27, 1977, by Board of Zoning Adjustment Resolution No. 703, and

WHEREAS, Sections 10-2.1904(a) and 10-2.2004 of the Modesto Municipal Code authorize the Board of Zoning Adjustment to grant conditional use permits, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on July 23, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and at said hearing the Board of Zoning Adjustment, by Resolution No. 996, found and determined that the applicant had failed to demonstrate the compatibility of the proposed amendment to said conditional use permit to other existing or potential uses within the general area in which such use is located, and

WHEREAS, at said public hearing referred to above, the Board of Zoning Adjustment denied the application for an amendment to said conditional use permit in the H-1 Zone for extension of business hours from 10 p.m. closing to 12 midnight closing, on Fridays and Saturdays only, for the McHenry Station Restaurant for the reason that the applicant had failed to demonstrate the compatibility of the proposed amendment to other existing or potential uses within the general area in which such use is located, and

WHEREAS, an appeal was filed by Michael Tedesco with the City Council of the City of Modesto on July 23, 1981, to the decision of the Board of Zoning Adjustment denying his request for an amendment to said conditional use permit in the H-1 Zone for extension of business hours from 10 p.m. closing to 12 midnight closing, on Fridays and Saturdays only, for the McHenry Station Restaurant, and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, at 7:30 o'clock p.m. on August 11, 1981, and

WHEREAS, at said meeting said Council, after hearing evidence both oral and documentary, found and determined that said appeal to the decision of the Board of Zoning Adjustment denying the request for an amendment to a conditional use permit in the H-1 Zone for extension of business hours from 10 p.m. closing to 12 midnight closing, on Fridays and Saturdays only, for the McHenry Station Restaurant in the City of Modesto should be denied for the reasons hereinafter set forth, and that the decision of the Board of Zoning Adjustment should be affirmed:

1. The present closing time of 10 o'clock p.m. was established prior to development of the commercial area in which the subject use is located.

2. The applicant has failed to demonstrate the compatibility of the proposed amendment to other existing or potential uses within the general area in which the subject use is located,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by Michael Tedesco to the decision of the Board of Zoning Adjustment denying an amendment to a conditional use permit in the H-1 Zone, granted on March 27, 1977, by Board of Zoning Adjustment Resolution No. 996, for extension of business hours from 10 p.m. closing to 12 midnight closing, on Fridays and Saturdays only, for the McHenry Station Restaurant, located at 2501 McHenry Avenue in the City of Modesto should be denied for the reasons set forth above, and

that the decision of the Board of Zoning Adjustment denying Michael Tedesco's request for an amendment to said conditional use permit in the H-1 Zone, referred to herein, should be affirmed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin

NOES: Councilmembers: Patterson, Mayor Mensinger

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-697

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR PURCHASE OF VIDEO CAMERA, CASSETTE RECORDER AND RELATED EQUIPMENT FOR VARIOUS CITY DEPARTMENTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of video camera, cassette recorder and related equipment for various City departments copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 1, 1981, at 2:10 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-698

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF ONE COMPUTER UPGRADE KIT FROM HEWLETT PACKARD

WHEREAS, the Public Works Engineering Division is requesting the purchase of a Hewlett Packard computer upgrade kit which will increase the computer's memory and will replace the existing processor with a much faster version allowing Public Works to run more projects in less time; and

WHEREAS, the kit can only be purchased directly from the manufacturer.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of one computer upgrade kit is hereby waived.

BE IT FURTHER RESOLVED that purchase of one computer upgrade kit from Hewlett Packard for $10,574 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-699

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF ONE COMPUTER DISK DRIVE

WHEREAS, the Finance Department is requesting the purchase of a Burroughs computer disk drive which will expand the on-line storage capacity of the existing 1855 Burroughs Computer allowing increased data files; and

WHEREAS, the disk drive can only be purchased directly from the manufacturer.

NOW. THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of one computer disk drive is hereby waived.

BE IT FURTHER RESOLVED that purchase of one computer disk drive from the Burroughs Corporation for the total amount of $25,905 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-700

A RESOLUTION APPROVING INCREASE IN THE AMOUNT OF PURCHASE ORDER FROM $3,549 TO $5,402.40 FOR WORK PERFORMED BY GEORGE REED, INC. TO OVERLAY ELEVENTH STREET BETWEEN F AND G STREETS

WHEREAS, Purchase Order No. 21497 was issued to George Reed, Inc. to place a one inch (1") overlay on Eleventh Street between "F" and "G" Streets; and

WHEREAS, due to the streets extremely deteriorated condition, it was determined that a one and one-half inch (1½") overlay would be required; and

WHEREAS, the increase of 67.89 tons of asphalt concrete necessitates increasing the value of the purchase order by $1,853.40.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that an increase in the amount of Purchase Order No. 21497, from $3,549 to $5,402.40 for work performed by George Reed, Inc. to overlay Eleventh Street between "F" and "G" Streets is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Bright ,who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-701

A RESOLUTION WAIVING FORMAL BID PROCEDURES AND AUTHORIZING THE PURCHASE OF TWO BRUSH CHIPPERS FROM SIERRA MORENO MERCANTILE COMPANY

WHEREAS, the Parks and Recreation Department has budgeted for purchase of two brush chippers in the 1981/82 Fiscal Year; and

WHEREAS, in examining the various chippers sold and serviced in Northern California, the Woodchuck was singled out as the best purchase because of additional safety features, which the City has paid particular attention to in considering the purchase of equipment; and

WHEREAS, the Woodchuck is distributed through Sierra Moreno Mercantile Company located in Mountain View, California.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedures for the purchase of two brush chippers is hereby waived.

BE IT FURTHER RESOLVED that purchase of two brush chippers from Sierra Moreno Mercantile Company for the price of $13,233 each including State and local taxes, is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-702

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,250 FROM THE C.I.P. CONTINGENCY RESERVE TO THE BRUSH CHIPPER CAPITAL ACCOUNT

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Contingency Reserve (61-10 8911 13)	$1,250
TO:	Brush Chipper (Parks) (6565 7130 13)	$1,250

Money needed to purchase two brush chippers budgeted for the 1981-82 Fiscal Year.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th **day of** August, 19 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-703

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $3,599 FROM THE SERVICE DIVISION'S EXIGENCY RESERVE TO THE BRUSH CHIPPER CAPITAL ACCOUNT

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Exigency Reserve (61.01 8911 72)	$3,599
TO:	Brush Chipper (P/W Service) (5429.00 5812 72)	$3,599

Money needed to purchase two brush chippers budgeted for the 1981-82 Fiscal Year.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th **day of** August, 1981, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-704

A RESOLUTION SETTING TIME AND PLACE FOR HEARING TO CONSIDER GARBAGE RATES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that August 25, 1981 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** garbage rates.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th **day of** August **,** 19 81 **, by Councilmember** Lang **, who moved its adoption, which motion being duly seconded by Councilmember** Siefkin **, was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-705

A RESOLUTION CANCELING **AGREEMENT BETWEEN THE CITY OF MODESTO AND** JERRY M. McCAFFERTY, DBA GUIDELINE INDUSTRIES, WHICH OWNS AND OPERATES THE "SELECT-A-CALL" SYSTEM AT THE AIRPORT PLUS HANDLES OTHER ADVERTISING

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Jerry M. McCafferty, dba Guideline Industries, which owns and operates the "Select-A-Call" system at the Modesto airport, plus handles other advertising

be, and it is hereby canceled.

BE IT FURTHER RESOLVED that the execution of said cancellation **by the designated city officials be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th **day of** August, **19** 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-706

A RESOLUTION OF INTENTION TO VACATE AND ABANDON 10TH STREET BETWEEN "B" AND "D" STREETS, "C" STREET BETWEEN 9TH AND 11TH STREETS AND THE 20-FOOT ALLEY IN BLOCK 50 IN THE CITY OF MODESTO.

WHEREAS, the City Council has received a request by S & W Fine Foods to vacate and abandon 10th Street between "B" and "D" Streets, "C" Street between 9th and 11th Streets, and the 20-foot alley in Block 50 in the City of Modesto, and

WHEREAS, a title report was submitted with the abandonment request which vests fee title to the street and alley right-of-way in adjacent land owners, and

WHEREAS, the proposed street and alley abandonment has been referred to affected city departments and local utility companies, and responses have been received, and

WHEREAS, the vacation and abandonment of the street and alley rights-of-way will allow adjacent industrial properties to be combined for more efficient use by industrial operations, and

WHEREAS, the proposed vacation and abandonment is consistent with the recommendations contained in the Downtown Report of June, 1975, and

WHEREAS, access for public safety and utility service vehicles and rights-of-way for utility lines can be provided by retention of the abandoned areas as public utility and access easements, and

WHEREAS, the Planning Commission by Resolution No. 79-235 adopted on September 4, 1979, recommended to the Council the vacation and abandonment of

10th Street between "B" and "D" Streets, "C" Street between 9th and 11th Streets, and the 20-foot alley in Block 50 in the City of Modesto, subject to the following conditions:

1. That prior to final abandonment action by the City Council, the owners of the right-of-way to be abandoned shall execute an abandonment agreement pertaining to use of the abandoned right-of-way. Said agreement shall be in a form to be approved by the City Attorney and shall provide substantially as follows:

    a. That owners, at their expense, shall construct appropriate barriers across the abandoned 10th Street right-of-way at the southerly line of D Street and the northerly line of B Street, and across the abandoned C Street right-of-way at the easterly line of 9th Street and the westerly line of 11th Street. Said barriers shall meet the structural requirements of the City Engineer and plans for the barriers shall be submitted to the City Public Works Department for approval. Said barriers shall contain openings to allow access by affected City departments and utility companies for public safety and utility maintenance and construction purposes. Keys to locked gates in said barriers shall be provided to affected City departments and utility companies. Said barriers shall be completed within ninety (90) days following final abandonment action by the City Council.

    b. That owners shall maintain the abandoned right-of-way in a manner that will allow free access by public safety and utility service vehicles. The stacking of pallets or other material in the right-of-way, parking of unattended vehicles, or the blocking of the street in any manner that would inhibit access by public safety or utility service vehicles shall be prohibited.

    c. That the owners shall construct street improvements to industrial street standards along that portion of the D Street frontage of their property located between 9th Street and 11th Street. Said improvements shall include street trees in sidewalk blockouts located on approximately 40-foot centers. Improvement plans for required street improvements shall be prepared by a registered civil engineer and submitted for approval by the City Engineer. Said improvements shall be completed by not later than one year following final abandonment action by the City Council.

2. That the entire 60-foot wide street area shall be retained as an easement for public utilities and access by emergency vehicles over and across the entire area to be abandoned.

3. That prior to final abandonment action by the City Council, legal access to properties located on the westerly side of 10th Street, north of C Street owned by the City of Modesto and S & W Fine Foods, Inc. shall be deeded in a manner satisfactory to the Director of Public Works of the City of

Modesto and S & W Fine Foods, Inc. Said legal access shall be in a form to be approved by the City Attorney.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The Council of the City of Modesto hereby declares its intention to vacate and abandon 10th Street between "C" and "D" Streets, "C" Street between 9th and 11th Streets, and the 20-foot alley in Block 50 in the City of Modesto, County of Stanislaus, State of California, which are more particularly shown on the map entitled "Vacate and Abandon Portions of 10th Street and "C" Street and the alley in Block 50. LD 79-G", dated September 11, 1979, and on file in the office of the City Clerk and more particularly described on Exhibit "A" attached hereto, and by this reference made a part hereof as though set forth in full herein.

SECTION 2. The Council of the City of Modesto hereby elects to proceed with the proposed vacation and abandonment of 10th Street between "B" and "D" Streets, "C" Street between 9th and 11th Streets, and the 20-foot alley in Block 50, in the City of Modesto, pursuant to the provisions of Division 9, Part 3, Chapter 3, of the Streets and Highways Code.

SECTION 3. The vacation and abandonment of 10th Street between "B" and "D" Streets, "C" Street between 9th and 11th Streets, and the 20-foot alley in Block 50, in the City of Modesto, shall be subject to the following conditions:

1. That prior to final abandonment action by the City Council, the owners of the right-of-way to be abandoned shall execute an abandonment agreement pertaining to use of the abandoned right-of-way. Said agreement shall be in a form to be approved by the City Attorney and shall provide substantially as follows:

    a. That owners, at their expense, shall constuct appropriate barriers across the abandoned 10th Street right-of-way at the southerly line of D Street and the northerly line of B Street, and across the abandoned C Street right-of-way at the easterly line of 9th Street and the westerly line of 11th Street. Said barriers shall meet the structural requirements of the City Engineer and plans for the barriers

shall be submitted to the City Public Works Department for approval. Said barriers shall contain openings to allow access by affected City departments and utility companies for public safety and utility maintenance and construction purposes. Keys to locked gates in said barriers shall be provided to affected City departments and utility companies. Said barriers shall be completed within ninety (90) days following final abandonment action by the City Council.

b. That owners shall maintain the abandoned right-of-way in a manner that will allow free access by public safety and utility service vehicles. The stacking of pallets or other material in the right-of-way, parking of unattended vehicles, or the blocking of the street in any manner that would inhibit access by public safety or utility service vehicles shall be prohibited.

c. That the owners shall construct street improvements to industrial street standards along that portion of the D Street frontage of their property located between 9th Street and 11th Street. Said improvements shall include street trees in sidewalk blockouts located on approximately 40-foot centers. Improvement plans for required street improvements shall be prepared by a registered civil engineer and submitted for approval by the City Engineer. Said improvements shall be completed by not later than one year following final abandonment action by the City Council.

2. That the entire 60-foot wide street area shall be retained as an easement for public utilities and access by emergency vehicles over and across the entire area to be abandoned.

3. That prior to final abandonment action by the City Council, legal access to properties located on the westerly side of 10th Street, north of C Street owned by the City of Modesto and S & W Fine Foods, Inc. shall be deeded in a manner satisfactory to the Director of Public Works of the City of Modesto and S & W Fine Foods, Inc. Said legal access shall be in a form to be approved by the City Attorney.

SECTION 4. Notice is hereby given that Tuesday, September 1, 1981, at 4:00 o'clock p.m., in the Council Chambers, 801 - 11th Street, Modesto, California, is hereby fixed as the time and place for hearing all persons interested in or objecting to the proposed vacation and abandonment.

SECTION 5. The City Clerk is hereby directed to cause to be published in full in The Modesto Bee, the official newspaper of the City of Modesto, the date, place, and hour of said hearing once each week for two (2) successive weeks before the date set for said hearing.

SECTION 6. The Director of Public Works is hereby directed to cause notices of the proposed streets and alley vacation to be posted conspicuously along the line of the streets and alley proposed to be vacated at least fourteen (14) days before the date set for the hearing. At least three (3) such notices for each street and alley proposed to be vacated and abandoned shall be posted. Such notices shall state the passage of this Resolution of Intention and the time and place for hearing, and shall describe the street right-of-way proposed to be abandoned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

VACATE AND ABANDON PORTIONS OF TENTH STREET AND "C" STREET AND THE ALLEY IN BLOCK 50

All that real property in the State of California, County of Stanislaus, City of Modesto, being a portion of the Northeast quarter of Section 32 and the Northwest quarter of Section 33, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

PARCEL 74-1 (Tenth Street)

That portion of Tenth Street as delineated on the Official Map of the City of Modesto, as per map filed December 21, 1942, in Volume 15 of Maps, Stanislaus County Records, more particularly described as follows:

Beginning at the most Westerly corner of Block 74, said point being on the Northeastern line of 80.00 foot Tenth Street; thence along said Northeastern line of Tenth Street, South 43° 29' 30" East, 880.00 feet, to the most Southerly corner of Block 75, said point being on the Northwestern line of 80.00 foot "B" Street; thence along the Southwesterly prolongation of the Southeastern boundary of said Block 75, South 46° 30' 30" West, 80.00 feet, to the most Easterly corner of Block 49, said point being on the Southwestern line of 80.00 foot Tenth Street; thence along said Southwestern line of Tenth Street, North 43° 29' 30" West, 880.00 feet, to the most Northerly corner of Block 50, said point being on the Southeastern line of 80.00 foot "D" Street; thence along the Northeasterly prolongation of the Northwestern boundary of said Block 50, North 46° 30' 30" East, 80.00 feet, to the point of beginning.

Reserving all of the above as a Public Utilities Easement.

PARCEL 75-1 ("C" Street)

That portion of "C" Street as delineated on the Official Map of the City of Modesto, as per map filed December 21, 1942, in Volume 15 of Maps, Stanislaus County Records, more particularly described as follows:

Beginning at the most Southerly corner of Block 74, said point being on the Northwestern line of 60.00 foot "C" Street; thence along said Northwestern line of "C" Street, North 46° 30' 30" East, 310.00 feet, to the most Easterly corner of said Block 74, said point being on the Southwestern line of 60.00 foot Eleventh Street; thence along the Southeasterly prolongation of the Northeastern boundary of Block 74, South 43° 29' 30" East, 60.00 feet, to the most Northerly corner of Block 75; said point being on the Southeastern line of 60.00 foot "C" Street; thence along said Southeastern line of "C" Street, South 46° 30' 30" West, 310.00 feet, to the most Westerly corner of Block 75, said point being on the Northeasterly line of 80.00 foot Tenth Street; thence along the Northwesterly prolongation of the Southwestern boundary of Block 75, North 43° 29' 30" West, 60.00 feet, to the point of beginning.

Reserving all of the above as a Public Utilities Easement.

Exhibit "A"

PARCEL 49-1 ("C" Street)

That portion of "C" Street as delineated on the Official Map of the City of Modesto, as per map filed December 21, 1942, in Volume 15 of Maps, Stanislaus County Records, more particularly described as follows:

Beginning at the most Easterly corner of Block 50, said point being on the Northwestern line of 60.00 foot "C" Street; thence along said Northwestern line of "C" Street, South 46° 30' 30" West, 294.84 feet, to the most Southerly corner of said Block 50, said point being on the Northeastern line of Ninth Street; thence along the Southeasterly prolongation of the Southwestern boundary of said Block 50, South 44° 04' 20" East, 60.00 feet, to the most Westerly corner of Block 49, said point being on the Southeastern line of 60.00 foot "C" Street; thence along said Southeastern line of "C" Street, North 46° 30' 30" East, 294.23 feet, to the most Northerly corner of said Block 49, said point being on the Southwesterly line of 80.00 foot Tenth Street; thence along the Northwesterly prolongation of the Northeastern boundary of Block 49, North 43° 29' 30" West, 60.00 feet, to the point of beginning.

Reserving all of the above as a Public Utilities Easement.

PARCEL 50-1 (Alley Right-of-Way)

That portion of the alley in Block 50 as delineated on the Official Map of the City of Modesto, as per map filed December 21, 1942, in Volume 15 of Maps, Stanislaus County Records, described as follows:

Beginning at the most Westerly corner of Lot 1 in Block 50, said point being on the Northeastern line of the 20.00 foot alley in said Block 50; thence along said Northeastern line of said alley, South 43° 29' 30" East, 410.00 feet, to the most Southerly corner of Lot 16 in Block 50, said point being on the Northwestern line of 60.00 foot "C" Street; thence along the Southwesterly prolongation of the Southeastern boundary of said Lot 16, South 46° 30' 30" West, 20.00 feet, to the most Easterly corner of Lot 17 in Block 50, said point being on the Southwestern line of said 20.00 foot alley in Block 50; thence along said Southwestern line of said alley, North 43° 29' 30" West, 410.00 feet, to the most Northerly corner of Lot 32 in Block 50, said point being on the Southeastern line of 80.00 foot "D" Street; thence along the Northeasterly prolongation of the Northwestern line of said Lot 32, North 46° 30' 30" East, 20.00 feet, to the point of beginning.

Reserving all of the above as a Public Utilities Easement.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-707

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HAY ASSOCIATES TO COMPLETE A CLASSIFICATION AND COMPENSATION STUDY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Hay Associates to complete a classification and compensation study of thirty-two classifications in the maintenance and skilled worker group, to be implemented by December 29, 1981

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th **day of** August, **19** 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-708

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $18,500 FROM CONTINGENCY RESERVE TO COVER COST OF CONSULTANT TO PERFORM CLASSIFICATION STUDY REQUIRED BY MEMORANDUM OF UNDERSTANDING

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Contingency Reserve (61.02 8911 01)	$18,500
TO:	Professional & Cont., Personnel (200 0322 01)	$18,500

To cover cost of consultant to perform classification study of thirty-two classifications in the maintenance and skilled worker group, as required by Memorandum of Understanding.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th **day of** August, 19 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-709

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DIAMETRICS, INC. TO DEVELOP CRIS (COST/REVENUE IMPACT SYSTEM)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Diametrics, Inc. to develop CRIS (Cost/Revenue Impact System)

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th **day of** August, **19**81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-710

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS COUNTY HOUSING AUTHORITY FOR PROVISION OF COUNSELING SERVICES PURSUANT TO OUR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Stanislaus County Housing Authority **for** provision of counseling services pursuant to our Community Development Block Grant Program **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th **day of** August, 19 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-711

A RESOLUTION APPROVING AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MODESTO AND THE MODESTO POLICE OFFICERS ASSOCIATION, MODIFYING THE BRIEFING TIME PROVISIONS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Memorandum of Understanding between the City of Modesto and the Modesto Police Officers Association as adopted on the 16th day of June, 1981, is hereby amended to modify the briefing time provisions.

BE IT FURTHER RESOLVED that the implementation of said amendment to the Memorandum of Understanding between the City of Modesto and the Modesto Police Officers Association by the designated City officials, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-712

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JUDITH A. ESKES FOR THE ACQUISITION OF 820± SQUARE FEET OF HER PROPERTY NEEDED FOR THE SIDEWALKS, SUNRISE/LUCERN TO NORWEGIAN PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Judith A. Eskes

for the acquisition of 820± square feet of her property needed for the sidewalks, Sunrise/Lucern to Norwegian project

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th **day of** August, **19**81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-713

A RESOLUTION AMENDING THE BEYER PARK LAND AND WATER CONSERVATION FUND GRANT TO DELETE IRRIGATION AND LANDSCAPING AND ADD SPORTS FIELDS, PLAY FIELDS, AND SUPPORT FACILITIES

BE IT RESOLVED by the Council of the City of Modesto that an amendment to the State Department of Parks and Recreation Beyer Park Land and Water Conservation Fund Grant (Project No. LWCF No. 06-00842) to delete irrigation and landscaping and add sports fields, play fields, and support facilities be, and hereby is, approved.

BE IT FURTHER RESOLVED that the execution of the amendment to the Beyer Park Land and Water Conservation Fund Grant, Project No. LWCF No. 06-00842, by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Bright who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-714

A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS AND UNCLAIMED PERSONAL PROPERTY.

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The City Manager is hereby authorized and directed to sell those certain items of personal property of the City of Modesto as shown on that certain document entitled "City of Modesto Surplus Property" dated August 29, 1981, on file in the office of the City Clerk. Said personal property has been found to be surplus and of no use to the City.

SECTION 2. The City Manager is hereby authorized and directed to sell those certain items of personal property now in the possession of the Police Department, which have been unclaimed for a period of at least six (6) months, or which are confiscated items and have been in possession of the Police Department for a period of at least six (6) months, as shown on that certain document entitled "Modesto Police Stolen and Unclaimed Property" dated August 29, 1981, which document is on file in the office of the City Clerk.

SECTION 3. The foregoing sales shall be made at public auction in the City of Modesto. The City Manager is hereby authorized to fix the time and place for said sales. At least five (5) days before the time fixed for each sale, the City Clerk shall cause notice thereof to be published in The Modesto Bee, the official newspaper of the City of Modesto. Said notice shall set forth the time and place of the sale, and that a list of the items of property to be offered for sale can be inspected in the office of the City Clerk.

The sales shall be conducted by the City Manager or by such person as he may select for this purpose. All items of property not sold at said auction sales shall be disposed of in such manner as the City Manager deems to be in the best interest of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-715

A RESOLUTION SETTING TIME AND PLACE FOR HEARING FOR AMENDMENT TO CONFLICT OF INTEREST CODES FOR CITY MANAGER'S OFFICE, FINANCE DEPARTMENT, AND PUBLIC WORKS DEPARTMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that September 1, 1981 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** amendment to Conflict of Interest Codes: City Manager's Office Code to add Assistant Risk Manager, Finance Department's Code to delete Data Processing Supervisor and add Data Processing Manager, and Public Works Department's Code to add Supervising Construction Inspector.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th **day of** August**,** 19 81**, by Councilmember** Bright**, who moved its adoption, which motion being duly seconded by Councilmember** Muratore**, was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-716

A RESOLUTION AMENDING POLICY FOR EVALUATING REQUESTS FOR CITY FINANCIAL ASSISTANCE

WHEREAS, on October 14, 1980, the City Council adopted Resolution No. 80-1065 adopting a Policy for Evaluating Requests for City Financial Assistance; and

WHEREAS, the City has now operated under that policy through the balance of its 1980-81 budget year, including budget review for the 1981-82 fiscal year; and

WHEREAS, the following amendment is recommended to the Policy for Evaluating Requests for City Financial Assistance:

3. Only not for profit status organizations which have been established and in operation for at least twelve months will be considered for City financial assistance.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that it does hereby approve the amendment to No. 3,of Policy for Evaluating Requests for City Financial Assistance as noted above.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Background

Each year the City of Modesto receives requests from various organizations for financial assistance. The Modesto City Charter provides that the City may expend such sums as the City Council shall deem proper, subject to certain limits, for music, publicity, and promotion. The City may also provide assistance for recreational activities as part of the City's recreational services and programs.

Purpose

The purpose of this policy statement is to establish evaluation criteria to determine the qualification of organizations which request financial assistance from the City of Modesto.

Policy

1. Requests for City financial assistance must be for the fine arts, publicity, promotion or recreation.

2. Organizations requesting City Financial assistance must be based in Modesto and provide a service or activity primarily for Modesto residents.

3. Only not for profit status organizations which have been established and in operation for at least twelve months will be considered for City financial assistance.

4. Organizations shall make application for City financial assistance by completing the application form provided by the City. Applications must be submitted to the City Manager no later than April 1 for the following fiscal year.

5. Organizations requesting City financial assistance must offer a service or activity which is available to the community in general.

6. Community residents must have an opportunity to be involved as volunteers or participants in a City funded service or activity.

7. All services or activities proposed for City funding must be provided to the public on a non-discriminatory basis.

8. Each organization or agency requesting assistance must furnish evidence, where applicable, of being an equal rights employer and having an affirmative action program

9. Services or activities legally required to be funded by other public agencies shall not be eligible for City financial assistance.

10. City financial assistance will not be provided for:

    rental subsidy
    transportation subsidy
    construction projects
    property purchase
    political services or activities of any kind
    mental health services-programs
    physical health services-programs
    social services-programs
    welfare services-programs
    United Way funded services-activities
    Combined Health Agencies Drive (CHAD) funded services-activities

11. Organizations receiving City financial assistance shall acknowledge City participation by inclusion of an appropriate statement in media advertisements, programs, brochures, etc.

12. Organizations receiving City financial assistance will be required to account to the City for how the money received was expended, and to return unexpended sums.

Approved on August 11 1981, by Modesto City Council Resolution No. 81-716.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-717

A RESOLUTION APPOINTING MEMBER OF THE BOARD OF ZONING ADJUSTMENT (GORDON HART)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to the Board of Zoning Adjustment for the respective term as indicated:

Gordon Hart
603 Myrtle Avenue
Modesto, Ca. 95350

Term to expire 1/1/82

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Board of Zoning Adjustment and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-718

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (315).

WHEREAS, a verified application for an amendment to Section 15-3-9 of the Zoning Map was filed by Modesto Investors on June 15, 1981, to reclassify from Professional Office Zone, P-O, to Planned-Development Zone, P-D, the following described property:

P-O to P-D

All that certain real property situate in a portion of the southwest quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcel A

All of Parcel 1 as shown on the Official Parcel Map filed in the Office of the Recorder of Stanislaus County, California, on August 25, 1971, in Volume 12 of Parcel Maps, Page 37.

Including also all of the northern 30.00 feet of Spanos Court and the eastern 60.00 feet of Coffee Road immediately adjacent to the above described property.

Parcel B

All of Parcel 2 as shown on the Official Parcel Map filed in the Office of the Recorder of Stanislaus County, California, on September 16, 1970 in Volume 9 of Parcel Maps, Page 86.

Including also all of the northern 30.00 feet of Celeste Drive and the eastern 60.00 feet of Coffee Road immediately adjacent to the above described property.

WHEREAS, after public hearing held on July 20, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of Parcel A above is not necessary in that it bears no reasonable relationship to the proposed sandwich shop farther north, but that rezoning Parcel B above is required by public necessity, convenience, and general welfare for the following reasons:

1. The proposed sandwich shop addition is to be only a service to the office complex and should encourage a greater share of employees and visitors to stay on the premises and not leave in cars to seek mid-day food service elsewhere.

2. The limitations imposed on the sandwich shop addition assure that the facility will primarily serve the occupants of the office complex and not have a significant commercial outreach.

WHEREAS, after a public hearing held on August 18, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Modesto Investors for a Planned-Development Zone for Parcel B above should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2070-C.S. on the 18th day of August, 1981, reclassifying the above-described Parcel B from Professional Office Zone, P-O, to Planned-Development Zone, P-D (315).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(315) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plans titled "Proposed Office Building for Mr. Alex Spanos and Plumbing Site Plan (P-1)" as amended in red, stamped approved by the Planning Commission on July 20, 1981.

2. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

3. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

4. The sandwich shop may be open to the public only between the hours of 7:30 a.m. and 4:30 p.m. Monday thru Friday.

5. All signs shall comply with the sign requirements of the P-O Zone. No signs for the sandwich shop shall be visible from Coffee Road.

6. Prior to occupancy of the sandwich shop the applicant shall obtain certification from the Director of Parks and Recreation that the landscaping and irrigation system generally conforms to City standards and/or any previously approved plans.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (315):

Construction to begin on or before September 30, 1982, and completion to be not later than September 30, 1983.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (315) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of August, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Burke
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-719

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 15-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (MODESTO INVESTORS)

WHEREAS, on August 18, 1981, the City Council introduced Ordinance No. 2070-C.S. giving approval to a project relating to an amendment to Section Map 15-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Professional Office Zone, P-O, to Planned Development Zone, P-D(315), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 15-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Professional Office Zone, P-O, to Planned Development Zone, P-D(315).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of August, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-720

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (314).

WHEREAS, a verified application for an amendment to Section 14-3-9 of the Zoning Map was filed by Arlo and Marvene Hilkey on May 1, 1981, to reclassify from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D, the following described property:

Lot 1, Hilkey Subdivision, as recorded in Volume 26 of Maps, page 43, Stanislaus County Records.

Including also all of the northern 30.00 feet of Merle Avenue located immediately adjacent to the above described property.

WHEREAS, after public hearing held on July 20, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed density of the project conforms to the Lakewood East Neighborhood Zoning and Development Policy.

2. The site design is acceptable and the development will be compatible with other potential residential development in the area.

WHEREAS, after a public hearing held on August 18, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Arlo and Marvene Hilkey for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2071-C.S. on the 18th day of August, 1981, reclassifying the above-described property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D(314).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(314) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan and floor plans titled "Hilkey Subdivision Lot #1" as amended in red, stamped approved by the Planning Commission on July 20, 1981.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code.

3. Fencing shall be constructed prior to occupancy and shall be as follows:

   a. Phase I - 6 foot chain link fence along the west, east and south boundaries of Phase II.

   b. Phase II - replacement of 6 foot chain link fence with a 7 foot solid wall of fence along the west and east boundary of Phase II and replacement of 6 foot chain link with 7 foot solid wall or fence at a 10 foot setback from property line along the Merle Avenue frontage.

   c. 7 foot solid wall or fence between the rear yards of each unit.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. The developer shall dedicate and/improve sufficient right-of-way as required by the Director of Public Works to complete Merle Avenue to a collector street standard prior to occupancy of Phase II or upon demand by the City, whichever occurs first.

6. The required public street improvements shall be constructed prior to occupancy of the townhouse structures.

7. Prior to issuance of a building permit, street improvement plans shall be approved by the Director of Public Works.

8. All private streets and parking areas shall be constructed in accordance with the standard structural section for residential streets as contained in the City of Modesto Standard Specifications.

9. Prior to the issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the Director of Public Works.

10. The development shall be served by positive storm drainage as required by the Director of Public Works.

11. All outdoor lighting in Phase II shall be shielded from adjacent residential properties as required by the Director of Public Works.

12. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

13. All utilities in Phase II shall be underground and cable television service shall be stubbed into all units.

14. All signs shall comply with the sign requirements of the R-2 Zone.

15. Prior to issuance of a building permit, the developer shall pay the City of Modesto the cost of planting street trees, the number as determined by the Director of Public Works.

16. All curbcuts serving two-way driveways shall be widened to 41 feet in width.

17. The applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. Hydrants shall be installed and operable prior to construction of any structures.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (314):

Phase I - start on or before August 1, 1982, and completed by August 1, 1983.

Phase II - start on or before September 1, 1986, and completed by September 1, 1987.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (314) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of August, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Rhodes
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-721

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 14-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (ARLO and MARVENE HILKEY)

WHEREAS, on August 18, 1981, the City Council introduced Ordinance No. 2071-C.S. giving approval to a project relating to an amendment to Section Map 14-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(314), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 14-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(314)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of August, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-722

A RESOLUTION AMENDING SECTIONS 1 AND 2 OF RESOLUTION NO. 77-908 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(166)", AS AMENDED BY MODESTO CITY COUNCIL RESOLUTIONS NO. 79-156 AND 79-919, TO PERMIT A DEPARTMENT STORE AND H-1 USES.

WHEREAS, the City Council, by Ordinance No. 1643-C.S., which was finally adopted on September 19, 1977, and which became effective on October 19, 1977, amended Section 11-3-8 of the Zoning Map to reclassify from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(166), property located on the east side of Sisk Road northwest of Standiford Avenue in the City of Modesto for construction of a motel/restaurant, a commercial structure and a multiple family residential complex, and

WHEREAS, City Council Resolution No. 77-908 approved the development plan for P-D(166) and contained conditions of approval thereof, and

WHEREAS, Ordinance No. 1774-C.S. and Resolution No. 78-788 adopted by the City Council on September 18, 1978, rezoned the commercial structure portion of P-D(166) to P-D(200), and

WHEREAS, City Council Resolution No. 79-156 adopted on February 20, 1979, amended Section 1 of Resolution No. 77-908 and added Section 1A thereto, and

WHEREAS, City Council Resolution No. 79-919 adopted on September 4, 1979, further amended Section 1 of Resolution No. 77-908, and

WHEREAS, a verified application fo another amendment to P-D(166) was filed by R. T. Hughes on June 5, 1981, to amend P-D(166) to permit a

department store and other freestanding commercial uses in lieu of the motel/restaurant portion of P-D(166), property located on the southeast corner of Sisk and Sullivan, and

WHEREAS, said application was set for a public hearing before the Planning Commission on July 20, 1981, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 81-181 found and determined that the requested amendment of P-D(166) is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed commercial uses conform to the Pelandale Neighborhood Zoning and Development Plan.

2. The P-D Zone and conditions of approval insure a degree of compatability consonant with surrounding properties,

and

WHEREAS, the City Council certifies that at said meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a Negative Declaration in regard to the environmental impact of the proposed amendment to Planned Development Zone, P-D(166), and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California on August 18, 1981, at 4:00 p.m., and

WHEREAS, after hearing evidence both oral and documentary, the Council finds and determines that the requested amendment to P-D(166) is

required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 81-181 and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Sections 1 and 2 of Modesto City Council Resolution No. 77-908 entitled, "A Resolution Approving A Development Plan for Planned-Development Zone, P-D(166)," as amended by Modesto City Council Resolutions No. 79-156 and 79-919, are hereby further amended to read as follows:

"SECTION 1. DEVELOPMENT PLAN. The development plan for the department store/H-1 uses portion of P-D(166), is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan titled "R. T. Hughes Company" as amended in red, stamped approved by the Planning Commission on July 20, 1981.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code. Screen landscaping shall be installed along the north property line.

3. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. The developer shall dedicate and/or improve sufficient right-of-way as required by the Director of Public Works to complete Sisk Road and Sullivan Court to major and collector street standards prior to occupancy or upon demand by the City, whichever occurs first.

5. The required public street improvements shall be constructed prior to occupancy of any structures.

6. Prior to issuance of a building permit, street improvement plans shall be approved by the Director of Public Works.

7. Prior to issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the Director of Public Works.

8. Drainage shall be provided as required by the Director of Public Works.

9. All Outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

10. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

11. Subject to approval from Vintage Faire, the developer shall, in a manner approved by the City Attorney, provide a vehicular accessway for onsite traffic circulation for the benefit of the property to the east (Vintage Faire), substantially as shown in red on the plot plan. Vehicular accessways shall also be provided between parcels onsite if the property is divided.

12. No operations conducted on the premises shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration, or electrical interference detectable off the premises. All machinery or equipment shall be soundproofed as required by the Director of Public Works.

13. The northeasterly side of the department store may not be used for outside storage of any type of material.

14. All signs shall comply with the sign requirements of the H-1 Zone. No signs shall be permitted on the northeasterly face of the department store.

15. Prior to issuance of a building permit, the developer shall pay the City of Modesto the cost of planting street trees, the number as determined by the Director of Public Works.

16. All curbcuts serving two-way driveways shall be widened to 41 feet in width.

17. The applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. Hydrants shall be installed and operable prior to construction of any structures.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D(166):

That the entire construction program be accomplished in three phases as follows:

Phase I--to include the department store/H-1 uses portion; start of construction to be on or before October 1, 1983, and completion to be not later than October 1, 1985.

Phase II--to include the two-story residential portion; start of construction to be on or before January 1, 1981, and completion to be not later than October 1, 1983.

Phase III--to include the one-story residential portion, start of construction to be on or before January 1, 1983, and completion to be not later than January 1, 1985.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that all of the provisions of Modesto City Council Resolutions No. 77-908, 79-156, and 79-919 approved by the Council on September 6, 1977, February 20, 1979, and September 4, 1979, respectively, that are not amended or effected by the provisions of this resolution shall remain in full force and effect.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject amendment to Planned Development Zone, P-D(166).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of August, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-723

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF PICNIC AREA AT REVARD PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of the picnic area at Revard Park

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 1, 1981, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of August, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-724

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $10,000 FROM CONTINGENCY RESERVE TO COVER COST OF CONSTRUCTION OF PICNIC AREA AT REVARD PARK

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Contingency Reserve (6110 8911 13)	$10,000
TO:	Standiford 2 Neighborhood Park (6339.00 7130 13)	$10,000

To cover cost of construction of picnic area at Revard Park. Project inadvertently omitted from the list of projects to be carried over from the previous year's budget.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th **day of** August, 19 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-725

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR MANCINI BOWL RESTORATION

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for Mancini Bowl restoration copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 4, 1981, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of August, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-726

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SUBTRUNK SEWER EXTENSION ON BLUE GUM BETWEEN POUST AND CARPENTER

WHEREAS, a report has been filed by the Director of Public Works that the construction of subtrunk sewer extension on Blue Gum between Poust and Carpenter Roads has been completed by Western Pipeline, Inc.

in accordance with the contract agreement dated October 7, 1980.

NOW, THEREFORE, BE IT RESOLVED that the construction of subtrunk sewer extension on Blue Gum between Poust and Carpenter be accepted from said contractor, Western Pipeline, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $139,557.50 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of August, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-727

A RESOLUTION WAIVING FORMAL BID PROCEDURES AND AUTHORIZING THE PURCHASE OF POLICE RADIO EQUIPMENT FROM MOTOROLA, INC.

WHEREAS, the Police Department is requesting the purchase of equipment to expand use of channel #2 through the installation of a repeater system; the purchase of fifteen portable radios equipped with programmable scramblers to provide voice security protection during critical surveillance and investigation activities; and modification of existing base radio equipment; and

WHEREAS, Motorola, Inc. is the only company manufacturing programmable scrambling or Digital Voice Protection (DVP) equipment in the industry today.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of Police radio equipment is hereby waived.

BE IT FURTHER RESOLVED that purchase of Police radio equipment from Motorola, Inc. for the total price of $87,550.50 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of August, 1981, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-728

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND VINTAGE FAIRE ASSOCIATES TO PAY FOR INSTALLATION OF TRAFFIC SIGNALS AT DALE AND VENEMAN

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Vintage Faire Associates for the developer to pay for installation of traffic signals at Dale and Veneman as a condition of allowing the new Macy's at Vintage Faire

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th **day of** August, 19 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-729

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS COUNTY HOUSING AUTHORITY FOR PROVISION OF REHABILITATION ASSISTANCES TO PROPERTY OWNERS PARTICIPATING IN THE SECTION 8 MODERATE REHABILITATION PROGRAM

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Stanislaus County Housing Authority **for** provision of rehabilitation assistances to property owners participating in the Section 8 Moderate Rehabilitation Program **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th **day of** August, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-730

A RESOLUTION ASSIGNING THE DIAL-A-RIDE AGREEMENT TO STORER TRANSIT SYSTEMS, INC.

WHEREAS, Mr. Don Storer of Storer Transportation has requested that the agreement the City has with him for operating the City's Dial-A-Ride system be assigned from Storer's Transportation School and Contract Service to Storer Transit Systems, Inc. in order to keep his public transit operations separate from his school bus and charter bus service operations.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Storer Transportation School and Contract Service for the Dial-A-Ride system be assigned to Storer Transit Systems, Inc.

BE IT FURTHER RESOLVED that the execution of said assignment by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of August, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-731

NINTH AMENDMENT TO

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND KENNEDY/JENKS ENGINEERS TO PROVIDE DESIGN ENGINEERING SERVICES IN CONNECTION WITH WASTEWATER TREATMENT PLANT IMPROVEMENTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto ninth amendment to **that the/agreement between the City of Modesto and** Kennedy/Jenks Engineers to provide design engineering services in connection with wastewater treatment plant improvements

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th **day of** August, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-732

A RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL OF THE CITY OF MODESTO

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedure to amend this contract is the adoption by the legislative body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:

> To provide Section 20461.6 (Reduction of benefits for future miscellaneous employees), applied to Sections 21263/21263.1 and Section 20024.2.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby give notice of intention to approve an amendment to the contract between the said governing body and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of August, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES: Councilmembers: None
ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

AMENDMENT TO CONTRACT BETWEEN THE
BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
CITY COUNCIL
OF THE
CITY OF MODESTO

The Board of Administration, Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of above public agency, hereinafter referred to as Public Agency, having entered into a contract under date of July 27, 1946, effective August 1, 1946, and as amended effective December 1, 1950, July 1, 1956, July 1, 1959, November 1, 1959, January 1, 1960, October 1, 1962, January 1, 1969, May 1, 1973, May 1, 1974, June 24, 1975, March 28, 1978, July 4, 1978 and November 1, 1980, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

A. Paragraphs 1 through 10 are hereby stricken from said contract as executed effective November 1, 1980, and hereby replaced by the following paragraphs numbered 1 through 11 inclusive:

1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 60 for local miscellaneous and age 55 for local safety members.

2. Public Agency shall participate in the Public Employees' Retirement System from and after August 1, 1946 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except such as by express provisions thereof apply only on the election of contracting agencies.

3. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:

   a. Local Firemen (herein referred to as local safety members);

   b. Local Policemen (herein referred to as local safety members);

   c. Employees other than local safety members (herein referred to as local miscellaneous members).

In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:

POLICE COURT DEPARTMENT EMPLOYEES
PERSONS COMPENSATED ON AN HOURLY BASIS HIRED AFTER OCTOBER 1, 1962

EXHIBIT ONE

4. Assets accumulated with respect to safety members in the local retirement system have been transferred to the Public Employees' Retirement System and applied against the liability for prior service incurred thereunder. That portion of the assets so transferred representing the accumulated contributions (plus interest thereupon) required of the employees under said local system has been credited to the individual membership account of each such employee under the Public Employees' Retirement System.

5. The fraction of final compensation to be provided for local miscellaneous members for each year of credited prior and current service shall be that provided in Section 21251.13 subject to the reduction provided therein for service on or after January 1, 1956 and prior to June 30, 1978 for members whose service has been included in Federal Social Security.

6. The fraction of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21252.1 of said Retirement Law (One-half pay at age 55).

7. The following additional provisions of the Public Employees' Retirement Law which apply only upon election of a contracting agency shall apply to the Public Agency and its employees:

   a. Section 20952.5 (Age 50 voluntary retirement) for local safety members only.

   b. Section 21222.1 (Special 5% increase - 1970).

   c. Section 21222.2 (Special 5% increase - 1971).

   d. Section 21222.6 (Special 15% increase for certain local miscellaneous members).

   e. Sections 21380-21387, (1959 Survivors Program), excluding Section 21382.2 (Increased 1959 Survivors benefits), for local safety members.

   f. Sections 21380-21387; including Section 21382.2 (1959 Survivors Program with increased benefits), for local miscellaneous members.

   g. Section 20024.2 (One-year final compensation), for local miscellaneous members hired prior to the effective date of this contract amendment.

   h. Section 21298 (Increased non-industrial disability allowance), for local miscellaneous members.

   i. Sections 21263/21263.1 (Post-retirement survivor allowance), for local miscellaneous members hired prior to the effective date of this contract amendment.

   j. Sections 21263/21263.1 (Post-retirement survivor allowance), for local safety members.

PLEASE DO NOT SIGN EXHIBIT ONLY!!

k. Section 21222.85 (Special 3%-15% increase to pre-1-1-74 retirees).

l. Section 20461.6 (Reduction of benefits for future miscellaneous employees), applied to Sections 21263/21263.1 and 20024.2.

8. Public Agency, in accordance with Section 20740, Government Code, ceased to be an "employer" for purposes of Chapter 6 of the Public Employees' Retirement Law effective on March 28, 1978. Accumulated contributions of Public Agency as of the aforementioned date shall be fixed and determined as provided in Section 20759, Government Code, and accumulated contributions as of the aforementioned date and contributions thereafter made shall be held by the Board as provided in Section 20759, Government Code.

9. Public Agency shall contribute to said Retirement System as follows:

a. With respect to miscellaneous members, the agency shall contribute the following percentages of monthly salaries earned as miscellaneous members of said Retirement System:

(1) 0.427 percent until June 30, 2000 on account of the liability for prior service benefits.

(2) 14.888 percent on account of the liability for current service benefits.

(3) 0.311 percent on account of the liability for the 1959 Survivor Program.

b. With respect to local safety members, the agency shall contribute the following percentages of monthly salaries earned as local safety members of said Retirement System:

(1) 0.100 percent until June 30, 2000 on account of the liability for prior service benefits.

(2) 14.583 percent on account of the liability for current service benefits.

(3) 0.004 percent on account of the liability for the 1959 Survivor Program.

c. A reasonable amount per annum, as fixed by the Board to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.

d. A reasonable amount as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.

10. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.

PLEASE DO NOT SIGN "EXHIBIT ONLY"

11. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within thirty days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances, or adjustments on account of errors in contributions required of any employee may be made by direct cash payments between the employee and the Board. Payments by Public Agency to Board may be made in the form of warrants, bank checks, bank drafts, certified checks, money orders or cash.

B. This amendment shall be attached to said contract and shall be effective on the _____ day of _____, 19__.

Witness our hands the _____ day of _____, 19__.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY _____
Carl J. Blechinger, Executive Officer

Approved as to form:

Cynthia D. Besemer 8/10/81
Cynthia G. Besemer, Legal Office, Date

CITY COUNCIL
OF THE
CITY OF MODESTO

BY _____
Presiding Officer

Attest:

_____
Clerk

PERS CON-702

CERTIFICATION OF GOVERNING BODY'S ACTION

I hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the City Council (Governing Body), of the City of Modesto, California (Name of Public Agency), on August 18, 1981 (Date), appearing at Page 252, Volume 70 of the (Minutes) (Official Records) of the City Council (Governing Body).

Marine Coyle

CITY CLERK or
Secretary of the Board

CERTIFICATE

OF COMPLIANCE WITH

SECTION 20461.6, GOVERNMENT CODE

In accordance with Section 20461.6, Government Code and amendment dated October 20, 1981 to the contract between the City of Modesto (name of agency) and Public Employees' Retirement System, the City Manager ~~governing body~~ hereby certifies that:

1. The City of Modesto (name of agency) has fully discharged all of the obligation imposed by Chapter 10 (commencing with Section 3500) of Division 4 of Title 1.

Original signature

Garth Lipsky, City Manager
Official title

Date: August 18, 1981

At: Modesto, California

Attest: Norrine Coyle
Norrine Coyle, City Clerk

CON-30

APPROVED AS TO FORM

Elwyn L. Johnson, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-733

A RESOLUTION ADOPTING RED PINE DRIVE AS THE OFFICIAL NAME FOR A RESIDENTIAL STREET ALONG THE NORTH SIDE OF ROBERTSON ROAD PARK BETWEEN HAMMOND STREET AND CRIPPEN AVENUE.

WHEREAS, with the development of the Robertson Road Park site, a residential street will be constructed for public use, and

WHEREAS, said residential street will extend along the north side of Robertson Road Park between Hammond Street and Crippen Avenue, and

WHEREAS, staff has proposed that said residential street be named "Red Pine Drive", and

WHEREAS, the Stanislaus County Planning Department has found no existing conflict of the proposed name with existing street names,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. That the name of the residential street along the north side of Robertson Road Park between Hammond Street and Crippen Avenue be officially named "Red Pine Drive".

2. That the Director of Parking and Traffic be directed to erect street name signs accordingly.

3. That the City Clerk be directed to record a certified copy of this resolution with the Recorder of Stanislaus County and transmit a copy of this resolution to the Board of Supervisors, the County Clerk, and the County Surveyor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of August, 1981,

by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-734

A RESOLUTION GRANTING APPROVAL TO THE STANISLAUS COUNTY HUMANE SOCIETY FOR AN ALL AMERICAN MUTT AND ALLEY CAT SHOW TO TAKE PLACE IN GRACEADA PARK IN THE CITY OF MODESTO ON SEPTEMBER 20, 1981 SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, the Stanislaus County Humane Society has filed a request with the City of Modesto for permission to use Graceada Park on Sunday, September 20, 1981, from 9:00 a.m. to 4:00 p.m. to hold its annual All American Mutt and Alley Cat Show, and

WHEREAS, the Council deems it appropriate to grant approval to the Stanislaus County Humane Society to use Graceada Park on Sunday, September 20, 1981, from 9:00 a.m. to 4:00 p.m. to hold its annual All American Mutt and Alley Cat Show,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby approve the use of Graceada Park by the Stanislaus County Humane Society on Sunday, September 20, 1981, from 9:00 a.m. to 4:00 p.m., subject to the conditions hereinafter set forth:

1. The Stanislaus County Humane Society, hereinafter referred to as "Society" may use Graceada Park on Sunday, September 20, 1981, for an All American Mutt and Alley Cat Show, hereinafter referred to as "Show", during the hours set forth above.

2. The "Society" may also use the picnic area in Graceada Park on the date and during the hours set forth above, and is granted permission to sell hot dogs and soft drinks to the spectators and entrants of said "Show".

3. The "Society" must rope off the picnic area in Graceada Park and keep the animals away from said picnic area.

4. The "Society" shall be responsible for the removal of all trash and debris from Graceada Park which accumulates as a result of the "Show".

5. Permission to use amplification equipment is granted for voice amplification only.

6. The "Society" shall indemnify and hold harmless the City of Modesto, its officers, agents and employees from and against any and all costs, damages, injuries, liability or loss to persons or property which may arise out of or in any way be connected with the "Society's" use of Graceada Park, and any areas adjacent thereto, for said "Show". The "Society" is not required to indemnify or hold harmless the City of Modesto, its officers, agents and employees from any liability arising out of the ordinary and customary condition of Graceada Park, and areas adjacent thereto, or which may arise out of the negligent acts or omissions of any officer, agent or employee of the City of Modesto.

7. The "Society" shall furnish to the City Clerk current and valid certificates of insurance evidencing public liability insurance as shall protect the "Society" and its agents and employees from claims for damages for bodily injury and property damage which may arise out of the "Society's" use of Graceada Park and areas adjacent thereto.

The amount of public liability insurance shall be as follows: Combined single limits of Five Hundred Thousand and no/100ths ($500,000.00) Dollars per occurrence for bodily injury, sickness and disease, including death resulting therefrom, and Five Hundred Thousand and no/100ths ($500,000.00) Dollars for claims for property damage.

The valid certificates of insurance which are to be furnished to the City Clerk shall contain contractual liability provisions stating that the policies are extended to cover the liability assumed by the "Society" under the terms of this resolution, and the certificates of insurance to be furnished to City shall not permit cancellation of said insurance unless thirty (30) days' prior written notice is furnished to the City Clerk of the City of Modesto.

BE IT FURTHER RESOLVED that the City Clerk shall furnish the "Society" with a copy of this resolution. The "Society" shall file a written acceptance of this resolution with the City Clerk, and no right shall be conferred hereby until said acceptance and the insurance required above are filed with the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held of the 18th day of August, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-735

A RESOLUTION APPROVING A GRANT APPLICATION FOR FEDERAL FUNDING TO CONSTRUCT AN EXTENDED RUNWAY SAFETY AREA AND ACQUISITION OF FIVE AVIGATION EASEMENTS

WHEREAS, on December 9, 1980, the Council approved the submission of a pre-application to the FAA for a Federal grant for two Airport projects: construction of an extended runway safety area and the acquisition of five avigation easements in the runway clear zone; and

WHEREAS, FAA has informed us that Airport Development Aid Program funds will become available this month and need to be under grant by September 30, 1981.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that the submission of an application to the Federal Aviation Agency for Federal funding to construct an extended runway safety area and acquisition of five avigation easements be, and hereby is, approved.

BE IT FURTHER RESOLVED that the execution of the application by the City's designated official, Garth Lipsky, City Manager, is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of August, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-736

A RESOLUTION DECLARING THE CITY COUNCIL'S INTENTION TO CONSIDER AN AMENDMENT TO SECTION 10-2.2006 OF THE MODESTO MUNICIPAL CODE RELATING TO NOTICE AND HEARING ON APPLICATION FOR VARIANCE AND CONDITIONAL USE PERMITS AND REFERRING SAID AMENDMENT TO THE PLANNING COMMISSION FOR A RECOMMENDATION TO THE COUNCIL

WHEREAS, the Council desires to consider an amendment in the form attached hereto as Exhibit "A" to the said provisions of the Modesto Municipal Code.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Council hereby declares its intention to consider an amendment to Section 10-2.2006 of the Modesto Municipal Code entitled, "Notice and Hearing on Application for Variance and Conditional Use Permits" in the form attached hereto as Exhibit "A".

BE IT FURTHER RESOLVED that the Planning Commission is hereby directed to set a time and place for a public hearing to consider said amendment to the Modesto Municipal Code and to make a recommendation regarding it to the City Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of August, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

PROPOSED AMENDMENT TO SECTION 10-2.2006
OF THE
MODESTO MUNICIPAL CODE

"SEC. 10-2.2006. NOTICE AND HEARING ON APPLICATION FOR VARIANCE AND CONDITIONAL USE PERMITS. Upon the filing of an application for a variance or conditional use permit, the Secretary of the Board shall set the matter for a public hearing before the Board of Zoning Adjustment and give notice as provided in Article 22 of this Chapter. No application for a variance or conditional use permit shall be accepted for a variance or use for which a previous application for a variance or conditional use permit has been denied until one year has elapsed from the date of such denial, except that the Council or the Board of Zoning Adjustment may waive the one year limitation, when in the Council's or the Board's judgment the applicant has shown substantially changed circumstances which justify a shorter period of time and the Council or Board determines that the interest of the general public will not be adversely affected."

Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 81-737

A RESOLUTION ESTABLISHING PASSENGER FARES FOR DIAL-A-RIDE SERVICE

BE IT RESOLVED by the Council of the City of Modesto, that the following fares are hereby established for passengers riding on the City of Modesto's Dial-A-Ride service:

A. Cash Fares

Regular	$1.20
Elderly and handicapped receiving only $58.00 a month in disposable income	$ .50

B. Tickets

10-Ticket Booklet	$7.50

BE IT FURTHER RESOLVED that this resolution shall be effective on and after August 31, 1981, and supersedes Resolution No. 81-639.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:
BY Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

PROJECT NO. 3

MODESTO CITY COUNCIL
RESOLUTION NO. 81-738

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF ALLEYS IN CERTAIN BLOCKS IN THE CITY OF MODESTO (Block Nos 54, 55, 91, 95, 106)

WHEREAS, Chapter 27 of Part 3 of Division 7 of Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Superintendent of Streets did, on July 23, 19 81 , order the construction of alleys in certain blocks in the City of Modesto, giving notice requiring the construction of such improvements; and

WHEREAS, the Superintendent of Streets did set the 25th day of August , 19 81, at 7:30 o'clock p.m., in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work; and

WHEREAS, the Superintendent of Streets has caused notices to be posted and mailed as required by the Streets and Highways Code; and

WHEREAS, at the time set for hearing the protests and objections to the proposed work, the said Council proceeded to hear the same.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work as set forth in the notices which are attached hereto, and incorporated by reference herein, are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project as to the properties described in the attached notices in accordance with the provisions of Chapter 27, Part 3, of Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August , 19 81 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

COMMERCIAL ALLEY IMPROVEMENTS - PROJECT NO. 3

BLOCK	STREET	LINEAL FEET
54	Bounded by G to H Streets/9th to 10th Streets	400
55	Bounded by I to H Streets/9th to 10th Streets	400
91	Bounded by K to L Streets/12th to 13th Streets	400
95	Bounded by G to H Streets 12th to 13th Streets	400
106	Bounded by I to J Streets/13th to 14th Streets	400
	TOTAL LINEAL FEET	2,000

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Wright Enterprises, Inc.

ADDRESS: Thrifty Meat Market, 713 10th St. Modesto, CA 95354

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 10 in Block 54 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 54, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 106-4205-430)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

25 linear feet of commercial alley reconstruction abutting said property in Block 54 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd **day of** July, **19**81.

Ross Campbell
Superintendent of Streets
City of Modesto

410/510-00127-08/01/80

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: John Bava, Aldo Bava Ralph Bava, Peter Bava

ADDRESS: 519 Roselawn Avenue, Modesto, CA 95351

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 11 & 12 in Block 54 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 54, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-4206-400)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 linear feet of commercial alley reconstruction abutting said property in Block 54 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

410/510.00127-08/01/81

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Greyhound Lines, Inc., Western Central Division

ADDRESS: 50 First Street, San Francisco, CA 94106

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 13 through 16 in Block 54 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 54, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 106-4207-590)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

100 linear feet of commercial alley reconstruction abutting said property in Block 54 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Thomas B. Conway & Harry B. Conway

ADDRESS: 1008 12th Street, Modesto, CA 95354

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 17 through 20 in Block 54 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 54, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 106-4213-400)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

100 linear feet of commercial alley reconstruction abutting said property in Block 54 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Gary C. & Myrna Gervasoni

ADDRESS: 676 Geer Court, Modesto, CA 95354

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 21 through 23 in Block 54 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 54, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 106-4210-500)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

75 linear feet of commercial alley reconstruction abutting said property in Block 54 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at [illegible] p.m. on the 25th day of [illegible], 19[illegible], in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 19[illegible].

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Curtis L. & Geraldine M. Mote, (C & J Loans)

ADDRESS: 716 9th Street, Modesto, CA 95354

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 24 in Block 54 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 54, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 106-4211-400)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

25 linear feet of commercial alley reconstruction abutting said property in Block 54 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 19 81.

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Central Valley Hardware Company

ADDRESS: P.O. Box 1050, Stockton, CA 95201

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 25 through 32 in Block 54 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 54, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 106-4212-400)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

300 linear feet of commercial alley reconstruction abutting said property in Block 54 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Anna Kounias, Executrix of the Estate of Strates George Kounias

ADDRESS: 1046 Princeton Avenue, Modesto, CA 95350

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 12 & 13, the Westerly 5' of the Southerly 50' of Lot 14 & the Northerly 90' of Lots 14, 15 & 16 in Block 55 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 55, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-4005-310)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

55 linear feet of commercial alley reconstruction abutting said property in Block 55 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: World Savings & Loan Association

ADDRESS: 1970 Broadway, Oakland, CA 94612

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 1 through 6 excepting the Easterly .94' of Lot 6 in Block 55 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 55, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-4001-540)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

149.06 lineal feet of commercial alley reconstruction abutting said property in Block 55 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1931, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1931.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Center State Bank

ADDRESS: 901 H Street, Modesto, CA 95354

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 17 through 25 excepting the Westerly 1' of Lot 25 in Block 55 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 55, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-4016-540)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

224 linear feet of commercial alley reconstruction abutting said property in Block 55 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, **in the City Council Chambers, located in the City Hall, 801 Eleventh Street,** Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Louie & Frances Inderbitzin

ADDRESS: 302 N. Santa Ana Avenue, Modesto, CA 95351

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The Westerly 1' of Lot 25 and all of Lots 26 and 27 in Block 55 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 55, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-4014-531)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

51 linear feet of commercial alley reconstruction abutting said property in Block 55 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

410/510-00127-08/01/80

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: City of Modesto

ADDRESS: 801 11th Street, Modesto, CA 95354

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 28 through 32 in Block 55 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 55, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-4015-900)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

125 linear feet of commercial alley reconstruction abutting said property in Block 55 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

410/510-00127-08/01/80

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Anna Kounias, Executrix of the Estate of Strates George Kounias

ADDRESS: 1046 Princeton Avenue, Modesto, CA 95350

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The Southerly 30' of the Easterly 20' of Lot 14 and the Southerly 30' of Lots 15 and 16 in Block 55 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 55, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-4007-310)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

70 linear feet of commercial alley reconstruction abutting said property in Block 55 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd **day of** July, **19**81.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: O.C. Thompson

ADDRESS: 1009 Brady Avenue, Modesto, CA 95350

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 11 in Block 55 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 55, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-4004-540)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

25 linear feet of commercial alley reconstruction abutting said property in Block 55 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Center State Bank

ADDRESS: 901 H Street, Modesto, CA 95354

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Northerly 90' of Lot 9 and all of Lot 10, excepting the Westerly 5' of the Southerly 50' of Lot 10 in Block 55 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 55, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-4003-540)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

20 linear feet of commercial alley reconstruction abutting said property in Block 55 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1931, **in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.**

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1931.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

410/510-00127-08/01/80

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: O.C. Thompson

ADDRESS: 1009 Brady Avenue, Modesto, CA 95350

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The Easterly .94' of Lot 6, all of Lots 7 & 8, the Southerly 50' of Lot 9 and the Westerly 5' of the Southerly 50' of Lot 10 in Block 55 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 55, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-4002-540)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

30.94 lineal feet of commercial alley reconstruction abutting said property in Block 55 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Ellen Thomas

ADDRESS: 1228 Magnolia Avenue, Modesto, CA 95350

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The Southerly 49' of Lots 1 & 2 in Block 91 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 91, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-2101-491)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 linear feet of commercial alley reconstruction abutting said property in Block 91 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 19 81, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

410/510-00127-08/0181

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: William M. & Rose Marie Mineni

ADDRESS: 7709 McHenry Avenue, Modesto, CA 95350

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 3, 4 & 5 in Block 91 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 91, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-2103-520)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

75 linear feet of commercial alley reconstruction abutting said property in Block 91 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 19 31, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd **day of** July, **19** 31.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Eugene A. & Sharon A. Cox

ADDRESS: 1618 Augusta Court, Modesto, CA 95350

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 6 & 7 in Block 91 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 91, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-2104-460)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 linear feet of commercial alley reconstruction abutting said property in Block 91 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 24th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Martin J. III & Barbara J. Ruddy & Thomas R. & Diana E. Sutter

ADDRESS: P.O. Box 3520, Modesto, CA 95354

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 8, 9 & 10 in Block 91 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 91, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-2105-561)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

75 linear feet of commercial alley reconstruction abutting said property in Block 91 in the City of Modesto, All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at [illegible] p.m. on the 25th day of August, 19 81, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd **day of** July, **19** 81.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Florence E. Corby

ADDRESS: P.O. Box 3231, Modesto, CA 95353

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 11 through 16 in Block 91 of the City of Modesto as per map filed December 12, 1942 in Volume 15 of Maps, Page 91, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-2106-520)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

150 linear feet of commercial alley reconstruction abutting said property in Block 91 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 19 81, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 19 81.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

410/510-00127-08/01/80

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Martin J. III & Barbara J. Ruddy and Thomas R. & Diana E. Sutter

ADDRESS: P.O. Box 1504, Modesto, CA 95353

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 17 through 19 in Block 91 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 91, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-2107-520)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

75 linear feet of commercial alley reconstruction abutting said property in Block 91 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd **day of** July, **19**81.

Ross Campbell
Superintendent of Streets
City of Modesto

410/510-00127-08/01/81

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Martin J. III & Barbara J. Ruddy and Thomas R & Diana E. Sutter

ADDRESS: P.O. Box 1504, Modesto, CA 95353

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 20 through 24 in Block 91 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 91, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-2108-520)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

125 linear feet of commercial alley reconstruction abutting said property in Block 91 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 **p.m. on the** 28th **day of** August **, 19**91 **, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.**

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd **day of** July **, 19**91**.**

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Martin J. III & Barbara J. Ruddy and Thomas R. & Diana E. Sutter

ADDRESS: P.O. Box 1504, Modesto, CA 95353

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 25 through 32 in Block 91 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 91, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-2109-491)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

200 linear feet of commercial alley reconstruction abutting said property in Block 91 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 15th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Stanislaus County

ADDRESS: P.O. Box 1068, Modesto, CA 95350

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 5 & 7 in Block 95 of the City of Modesto, as per map filed December 21, 1941 in Volume 15 of Maps, Page 95, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 106-2702-910)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

75 linear feet of commercial alley reconstruction abutting said property in Block 95 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Lane R. & Katherine K. Ward

ADDRESS: 1200 H Street, Modesto, CA 95354

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 30 through 32 in Block 95 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 95, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 106-2710-520)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

75 linear feet of commercial alley reconstruction abutting said property in Block 95 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Stanislaus County

ADDRESS: P.O. Box 1068, Modesto, CA 95353

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 24 through 29 in Block 95 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 95, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 106-2709-910)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

150 linear feet of commercial alley reconstruction abutting said property in Block 95 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Franklin & Downs Funeral Home

ADDRESS: P.O. Box 1452, Modesto, CA 95353

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 17 through 23 in Block 95 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 95, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 106-2708-590)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

175 linear feet of commercial alley reconstruction abutting said property in Block 95 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Susan M. Wiltse

ADDRESS: 525 15th Street, Modesto, CA 95354

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The Westerly 12.5' of the Southerly 49.5' of Lot 14 and the Southerly 49.5' of Lots 15 & 16 in Block 95 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 95, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 106-2707-221)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

62.5 linear feet of commercial alley reconstruction abutting said property in Block 95 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Lewis E. Franklin c/o Franklin & Downs

ADDRESS: 12 & G Streets, Modesto, CA 95354

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 12 and 13 and the Westerly 12.5' of Lot 14 in Block 95 in the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 35, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 106-2705-590)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

62.5 linear feet of commercial alley reconstruction abutting said property in Block 95 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Franklin & Downs

ADDRESS: P.O. Box 1452, Modesto, CA 95353

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 10 and 11 in Block 95 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 95, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 106-2704-520)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 linear feet of commercial alley reconstruction abutting said property in Block 95 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Tangent Investment Co.

ADDRESS: 715 13th Street, Modesto, CA 95354

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 8 and 9 in Block 95 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 95, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 106-2703-520)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 linear feet of commercial alley reconstruction abutting said property in Block 95 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Michael L. & Joan Hardin and Marvin F. & Janice B. Russell and Marvin H. & Shirley M. Hardin

ADDRESS: 3516 Darlington Court, Modesto, CA 95350

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 1 through 4 in Block 95 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 95, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 106-2701-401)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

100 linear feet of commerical alley reconstruction abutting said property in Block 95 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Lulu H. Ryan et al

ADDRESS: c/o Nattinger & Lowry, 1400 K St., Modesto, CA 95354

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 27 through 32 in Block 106 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 106, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-1514-540)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

150 lineal feet of commercial alley reconstruction abutting said property in Block 106 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 19 81, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

410/510.00127.00/01.0

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Margaret A. Bartlett

ADDRESS: P.O. Box 538, Georgetown, CA 95634

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 26 in Block 106 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 106, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-1513-400)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

25 lineal feet of commercial alley reconstruction abutting said property in Block 106 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd **day of** July, **19**81.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Larry D. & Helen Alexander

ADDRESS: 918 13th Street, Modesto, CA 95354

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 25 in Block 106 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 106, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-1512-400)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

25 lineal feet of commercial alley reconstruction abutting said property in Block 106 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Roger O. Sears

ADDRESS: 916 13th Street, Modesto, CA 95354

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 24 of Block 106 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 106, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-1511-400)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

25 lineal feet of commercial alley reconstruction abutting said property in Block 106 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 18th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Roman Catholic Welfare Corp. of Stockton

ADDRESS: P.O. Box 4237, Stockton, CA 95204

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 23 in Block 106 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 106, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-1510-580)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

25 lineal feet of commercial alley reconstruction abutting said property in Block 106 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 19 81, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 19 81.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Donald K. Calkins Trust

ADDRESS: 255 Meadow Lane, Bishop, CA 93514

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 22 in Block 106 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 106, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-1509-400)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

25 lineal feet of commercial alley reconstruction abutting said property in Block 106 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 19 81, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Donald K. Calkins Trust

ADDRESS: 255 Meadow Lane, Bishop, CA 93514

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 20 and 21 in Block 106 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 106, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-1503-400)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of commerical alley reconstruction abutting said property in Block 106 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25thday of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Mary R. & Gregory J. Hobbs

ADDRESS: 1 San Rafael Avenue, Belvedere, CA 94920

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 17 through 19 in Block 106 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 106, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-1507-520)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

75 lineal feet of commerical alley reconstruction abutting said property in Block 106 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 17th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Richard T. Tosaw

ADDRESS: P.O. Box 888, Modesto, CA 95353

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The Southerly 50' of Lots 14 through 16 in Block 106 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 106, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-1506-520)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

75 lineal feet of commercial alley reconstruction abutting said property in Block 106 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Goldie M. Davis c/o R.D. Gant

ADDRESS: 3100 Morada Court, Modesto, CA 95350

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 11 through 13 in Block 106 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 106, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-1504-491)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

75 lineal feet of commercial alley reconstruction abutting said property in Block 106 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25thday of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 19 81.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Charles L. Lindberg & Dan W. Boyd

ADDRESS: 1430 Roosevelt Drive, Modesto, CA 95350

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 8 through 10 in Block 106 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 106, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-1503-591)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

75 lineal feet of commercial alley reconstruction abutting said property in Block 106 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: June A. Longley

ADDRESS: 15170 Cavalieri Road, Sonora, CA 95370

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 5 through 7 in Block 106 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 106, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-1502-540)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

75 lineal feet of commerical alley reconstruction abutting said property in Block 106 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 25th day of August, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd **day of** July, **19**81.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: O.C. Thompson et al

ADDRESS: 1009 Brady Avenue, Modesto, CA 95350

Who is the owner of record of property described as follows:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 1 through 4 in Block 106 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 106, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 201 105-1501-540)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

[illegible] lineal feet of commercial alley reconstruction abutting said property in Block 106 in the City of Modesto. All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at [illegible] p.m. on the [illegible] day of [illegible], 19[illegible], in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 23rd day of July, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 81-739

A RESOLUTION GRANTING THE APPEAL FILED BY LUCIA M. RYERSON TO THE DECISION OF THE BOARD OF ZONING ADJUSTMENT GRANTING A CONDITIONAL USE PERMIT TO ART WYATT FOR A CAR WASH ON THE WEST SIDE OF MC HENRY AVENUE NORTH OF ROSEBURG AVENUE, AND OVERRULING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT.

WHEREAS, an application for a conditional use permit for a car wash on the West side of McHenry Avenue north of Roseburg Avenue was filed by Art Wyatt on June 16, 1981, and

WHEREAS, Sections 10-2.1904(a) and 19-2.2004 of the Modesto Municipal Code authorize the Board of Zoning Adjustment to grant conditional use permits and amendments thereto, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on July 23, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing, evidence, both oral and documentary, was received and considered, and

WHEREAS, after holding said public hearing the Board of Zoning Adjustment adopted Resolution No. 1000 on July 23, 1981, granting a conditional use permit in the C-2 Zone for a car wash on the west side of McHenry Avenue north of Roseburg Avenue, subject to certain conditions as set forth in said Board of Zoning Adjustment Resolution No. 1000, and

WHEREAS, an appeal to the decision of the Board of Zoning Adjustment was filed with the City Council of the City of Modesto by Lucia M. Ryerson by a letter dated July 30, 1981, appealing the decision of the Board of Zoning Adjustment granting a conditional use permit to Art Wyatt for a car wash on the West side of McHenry Avenue north of Roseburg Avenue, and

WHEREAS, said appeal was set for hearing before the City Council of the City of Modesto in the Council Chambers, City Hall, 801 11th Street, Modesto, California, at 7:30 o'clock p.m. on August 25, 1981, at which date and time said hearing was held, and evidence, both oral and documentary, was taken and introduced, and

WHEREAS, after said public hearing, the Council of the City of Modesto found and determined that the appeal filed by Lucia M. Ryerson to the decision of the Board of Zoning Adjustment granting a conditional use permit to Art Wyatt for a car wash on the west side of McHenry Avenue north of Roseburg Avenue should be granted and that the decision of the Board of Zoning Adjustment should be overruled for the following reasons:

1. The site of the proposed car wash is immediately adjacent to a residential neighborhood, and

2. Noise from both the car wash operation and potential loitering on the site would be incompatible with the adjacent residential neighborhood.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal of Lucia M. Ryerson to the decision of the Board of Zoning Adjustment granting a conditional use permit to Art Wyatt for a car wash on the west side of McHenry Avenue north of Roseburg Avenue in the City of Modesto is hereby granted, and the decision of the Board of Zoning Adjustment, as set forth in its Resolution No. 1000, is hereby overruled and the application of Art Wyatt for a conditional use permit for a car wash on the west side of McHenry Avenue north of Roseburg Avenue is denied, all for the reasons set forth above.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1981, by Council-member Elliott, who moved its adoption, which motion being duly seconded by

Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: _____
JUDY HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-740

A RESOLUTION ADOPTING A REVISED SCHEDULE OF RATES AND CHARGES FOR THE COLLECTION OF GARBAGE IN THE CITY OF MODESTO.

WHEREAS, Section 5-5.32 of the Modesto Municipal Code provides that charges to customers for garbage service in the City of Modesto shall be set by the City Council by resolution and may be revised from time to time after holding a public hearing thereon, and

WHEREAS, the City Council has previously, by Resolution No. 81-448, adopted a schedule of rates and charges for garbage service in the City of Modesto, and

WHEREAS, the Council's Solid Waste Committee has recommended to the City Council that a Solid Waste Recycling Charge be added to the schedule of rates and charges for garbage service in the City of Modesto, and

WHEREAS, by Resolution No. 81-704 adopted on August 11, 1981, August 25, 1981, at 7:30 p.m. was set as the time and place for consideration of the addition of said Solid Waste Recycling Charge, and

WHEREAS, a public hearing was held at said time and place, at which time evidence, both oral and documentary, was received and considered, and

WHEREAS, it was found and determined by the Council of the City of Modesto that said Solid Waste Recycling Charge should be added to the schedule of rates and charges to be charged for the collection of garbage in the City of Modesto,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby adopts the following revised schedule of rates and charges for garbage service to be charged by all licensed collectors of garbage in the City of Modesto from October 1, 1981, until revised by the City Council:

CHARGES FOR GARBAGE SERVICE

STANDARD CONTAINERS

No. of Containers	1	2	3	4	5	6
1.	3.75	7.50	11.25	15.00	18.75	22.50
2.	5.65	11.30	16.95	22.60	28.25	33.90
3.	7.55	15.10	22.65	30.20	37.75	45.30
4.	9.45	18.90	28.35	37.80	47.25	56.70
5.	11.35	22.70	34.05	45.40	56.75	68.10
6.	13.25	26.50	39.75	53.00	66.25	79.50

The standard container rates shall apply for service when containers are placed in a location set forth in Section 5-5.10 Container Locations (a.1) (a.2). If it is necessary for the collector to enter a fenced yard and/or go more than fifty (50) feet from the property line but less than one hundred (100) feet from the property line to reach a container there shall be added to the regular monthly collection charge an additional charge of one dollar (1.00) per month. When containers are located at a distance greater than one hundred (100) feet from the property line or there are three or more containers within a fenced yard or more than fifty (50) feet from the property line which requires additional trips by the garbage collector, this shall be handled as a Special Service Condition for which the rates are to be established by negotiation.

DETACHABLE CONTAINERS

Container Size	Number of collections per week 1	2	3	4	5	6
1 CY	9.20	18.40	27.60	36.80	46.00	55.20
1½ CY	13.80	27.60	41.40	55.20	69.00	82.80
2 CY	18.40	36.80	55.20	73.60	92.00	110.40
3 CY	27.60	55.20	82.80	110.40	138.00	165.60
4 CY	36.80	73.60	110.40	147.20	184.00	220.80

DETACHABLE CONTAINER RENTAL RATES NOT INCLUDED IN ABOVE SCHEDULE

Detachable container size	1 CY	1½ CY	2 CY	3 CY	4 CY
Monthly rental rate	8.05	8.65	9.20	9.80	10.35

DROP-BOX CONTAINERS

Pickup charge	$57.50	Pickup
Rental	2.00	Day with $46.00 maximum for each 30-day rental period
Disposal charge		Actual charge

Garbage company will provide up to 40 CY Drop-box containers for above stated charges subject only to load limit of transfer vehicle.

SOLID WASTE RECYCLING PROGRAM CHARGE

Residential standard containers or equivalent	10¢ per can picked up
Residential detachable containers	60¢ per cubic yard picked up

EXTRA PICKUPS

Standard containers or equivalent	$3.50 plus $0.60/container
Detachable containers	$8.00 plus $1.15/CY

SPECIAL SERVICE CONDITIONS

In situations where none of the above rates reasonably apply, the cost of service is to be negotiated between the garbage company and the customer.

DETACHABLE CONTAINER ONLY REPLACEMENT AND CLEANING SERVICE

1 CY	1½ CY	2 CY	3 CY	4 CY
9.20	10.00	11.00	14.40	18.40

NOTATIONS

1. Where the landlord pays for all cans in one location, it shall be regarded as one service. Each location in which cans are placed for collection must be regarded as a separate service.
2. Where tenant pays for can collection, regardless of location, it shall be regarded as one service.
3. Solid Waste Recycling Program charge to be added on to the above rates for standard containers and detachable containers for residential service from October 1, 1981 to June 30, 1982 and shall be collected at the same time as other charges are collected.

STANDARD CONTAINER FEE FOR RESIDENTIAL SERVICE WITH RECYCLING CHARGE INCLUDED

(Effective October 1, 1981 through June 30, 1982)

No. of Containers	Number of collections per week					
	1	2	3	4	5	6
1	3.85	7.70	11.55	15.40	19.25	23.10
2	5.85	11.70	17.55	23.40	29.25	35.10
3	7.85	15.70	23.55	31.40	39.25	47.10
4	9.85	19.70	29.55	39.40	49.25	59.10
5	11.85	23.70	35.55	47.40	59.25	71.10
6	13.85	27.70	41.55	55.40	69.25	83.10

DETACHABLE CONTAINER FEE FOR RESIDENTIAL SERVICE WITH RECYCLING CHARGE INCLUDED

(Effective October 1, 1981 through June 30, 1982)

Container Size	Number of collections per week					
	1	2	3	4	5	6
1 CY	9.80	19.60	29.40	39.20	49.00	58.80
1½ CY	14.70	29.40	44.10	58.80	73.50	88.20
2 CY	19.60	39.20	58.80	78.40	98.00	117.60
3 CY	29.40	58.80	88.20	117.60	147.00	176.40
4 CY	39.20	78.40	117.60	156.80	196.00	235.20

DETACHABLE CONTAINER RENTAL RATES FOR RESIDENTIAL SERVICE NOT INCLUDED IN ABOVE SCHEDULE

(Effective October 1, 1981 through June 30, 1982)

Detachable container size	1 CY	1½ CY	2 CY	3 CY	4 CY
Monthly rental rate	8.05	8.65	9.20	9.80	10.35

BE IT FURTHER RESOLVED, that any person who has prepaid garbage service charges for residential garbage services for the calendar year 1981 shall be entitled to receive garbage service for the balance of said calendar year of 1981 at the prepaid rates.

BE IT FURTHER RESOLVED, that Resolution No. 81-448 is hereby rescinded, effective October 1, 1981.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: Bright, Elliott, Muratore

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-741

A RESOLUTION AMENDING SECTIONS 1 AND 2 OF RESOLUTION NO. 71-197 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT ZONE, P-D(85)." (JAMES E. PRICE)

WHEREAS, the City Council, by Ordinance No. 1091-C.S. which was introduced on March 15, 1971, finally adopted on April 5, 1971, and which became effective on May 5, 1971, amended Section Map 22-3-9 of the Zoning Map to reclassify from Multiple-family Residential Zone, R-3, to Planned Development Zone, P-D(85), property located on the east side of Coffee Road northeast of Brighton Avenue in the City of Modesto, to allow construction of 132 two-story apartment units with accessory uses, and

WHEREAS, City Council Resolution No. 71-197 which was adopted on March 15, 1971, approved a development plan for P-D(85) and contained the conditions of approval thereof, and

WHEREAS, a verified application for an amendment to Planned Development Zone, P-D(85) was filed by Bripak Corporation c/o James Price on April 16, 1981, to amend Planned Development Zone, P-D(85) to allow for conversion of the existing 132 two-story apartment units to condominiums on the property located on the east side of Coffee Road northeast of Brighton Avenue in the City of Modesto, and

WHEREAS, said application was set for a public hearing before the Planning Commission on June 1, 1981 and continued to July 20, 1981 and August 3, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and

WHEREAS, at said hearings, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 81-189, found and determined that an amendment to P-D(85) to allow for conversion of the existing 132 two-story apartment units to condominiums is required by public necessity, convenience, and

general welfare for the following reasons:

1. Conversion to condominiums will allow for owner occupancy of the dwelling unit and not limit to rental occupancy only.

2. Conditions of approval including requirement for a homeowners association assure that the premises will be maintained according to the best interests of the residents as well as the general public,

and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on August 25, 1981, and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to allow for conversion of the existing 132 two-story apartment units to condominiums is required by public necessity, convenience, and general welfare for the reasons set forth in Planning Commission Resolution No. 81-189 and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Sections 1 and 2 of Modesto City Council Resolution No. 71-197 entitled "A Resolution Approving a Development Plan for Planned Development Zone, P-D(85)" are hereby amended to read as follows:

"SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(85) is hereby approved, subject to the following conditions:

1. All development shall conform to the plot plans titled "Park Brighton - Site Plan and Tentative Subdivision Map - Park Brighton" as amended in red, stamped approved by the City Council and Planning Commission on March 15, 1971 and August 3, 1981 respectively.

2. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

3. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

4. All utilities shall be underground and cable television service shall be stubbed into all units.

5. Prior to sale of any condominiums, a subdivision map shall be recorded.

6. Prior to recordation of a final subdivision map, the developer shall obtain certification from the Chief Building Official that all construction conforms to all building and fire safety standards for condominiums established by the Chief Building Official.

7. Prior to recordation of a final subdivision map, the developer shall obtain certification from the Director of Parks and Recreation that the landscaping and irrigation system generally conforms to City standards and/or any previously approved plans.

8. That any signs on the premises shall conform to the sign requirements as specified in the R-3 Zone.

9. The subdivider of P-D(85) shall institute the tenant displacement policy, referred to as the "Condominium Conversion Program", attached thereto as Exhibit "A", and shall abide by all the terms thereof.

10. Prior to the City Council approval of the final subdivision map the subdivider shall submit information to the City which, in the City's judgment, is sufficient to permit the City to make a determination regarding the subdivider's compliance with his tenant displacement policy referred to as "Condominium Conversion Program". Said information shall include at least the following:

    a. Information sufficient to permit the City to determine which are entitled to relocation benefits, including moving and stay-on allowances.

    b. Information sufficient to permit the City to determine which elderly and/or disabled tenants are entitled to extended tenancies.

    c. Information sufficient to permit the City to determine which tenants are entitled to the first right of refusal to purchase their units, and to the so-called "renter discount" and "as-is" discount."

"SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned Development Zone, P-D(85):

The construction program shall be accomplished in one phase:

Construction to begin on or before December 1, 1983, and completion to be not later than December 1, 1984."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Hensinger

NOES: Councilmembers: Patterson

ABSENT: Councilmembers: None

ATTEST: JOY HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By ELWYN L. JOHNSON, City Attorney

PARK BRIGHTON

Condominium Conversion Program

July 29, 1981

(Revised August 25, 1981)
(Corrected September 8, 1981)

If Park Brighton is approved by all governmental agencies having jurisdiction over condominium conversions, the following will apply to residents currently living at Park Brighton:

1. Extended Notice Period

No one will be required to leave the project because of the conversion for at least nine months from now (May 1, 1982). This extends our previous one-year notice period ending February 17, 1982.

2. Senior Citizens and Handicapped Residents

Any resident who is sixty-two (62) years of age or older by the date of the filing of the final subdivision map, or is permanently handicapped, will not have to move for at least two (2) years from the date the resident's unit is offered for sale. Rent increases for these residents during this period will be limited to increases in the Consumer Price Index for West - Size Class C Cities. During this extended rent period, these residents will still be able to move whenever they want, with only seven (7) days notice to us.

3. First Right to Buy

So long as you are a renter in good standing, you will have the "first right of refusal" to purchase your unit when the units are offered for sale. This will extend for ninety (90) days after your unit is offered to you. In addition, you will also have first choice on any other available unit in the complex for thirty (30) days after such unit is offered for sale.

4. Renter Discount

Your price, before discounts, will always be less than the price at which units are initially offered to outside buyers. In addition, as a resident, you will receive a Renter Discount of $750 for the junior one bedroom unit (Unit C), $1,000 for the small one bedroom unit (Unit A), $1,250 for the large one bedroom units (Units B and E), $1,500 for the two bedroom/one bath unit (Unit D), and $2,000 for the two bedroom/one and three-quarters bath unit (Unit F).

5. As-Is Discount

You may choose to purchase your unit without new carpets, new drapes, paint and other interior improvements for an additional "as-is" discount reflecting our actual cost savings. We expect to spend between $1,000 and $2,500 for the improvements planned in each unit. Of course, all the planned exterior and common area improvements will still be made, and all appliances, structural and mechanical items will still be guaranteed for one year, whether or not you accept this discount.

6. Individual Unit Improvements

Unit prices will include the following upgrades for each condominium. Of course, if you believe many of these are already in good repair in your unit and do not need replacing, we will pass our cost savings on to you by the "as is" discount price:

- Install new carpets and padding
- Install new flooring in kitchen and bathroom
- Provide new draperies
- Repaint entire interior
- Install smoke detectors
- Repair or replace all appliances, as necessary
- Refinish or replace all cabinets and countertops, as necessary
- Replace or repair chipped sinks
- Repair or replace shower and tub units, as necessary
- Provide one year warranty on all appliances, airconditioning, plumbing, and electrical system
- Re-key all locks

7. Exterior Renovation

The following improvements will be made to the exterior to insure the building, grounds and common areas are up-graded to like-new condition:

- Repaint entire exterior of buildings
- Resurface all driveways and restripe parking areas
- Resurface all tar and gravel roofs
- Replace all carport posts

8. Price Estimates

Although we have not priced individual units yet, we have established an average price estimate for each unit type, as of August 1, 1981, which would be applicable if the units were sold today. Inflation, unpredictable delays, changes in renovation costs, and State law make it impossible to set unit prices at this time. However, our current estimated renter prices, after discounts, are as follows:

8. Price Estimates (continued)

August 1981	Jr. One Bedroom ("C")	One Bedroom ("A")	One Bedroom ("B")	One bedroom/Loft ("E")	Two Bedroom ("D")	Two Bedroom 1-3/4 Bath ("F")
Estimated Public Market Price	$31,000	$42,000	$49,000	$53,000	$64,000	$72,000
Renter's Basic Discount	(750)	(1,000)	(1,250)	(1,250)	(1,500)	(2,000)
Renovation "As-Is" Discount	(1,000)	(1,250)	(1,500)	(1,500)	(2,000)	(2,500)
Resident's Net Price Estimate	$29,250	$39,750	$46,250	$50,250	$60,500	$67,500

Please remember that it may be well into 1982 or perhaps even later that we are able to offer Park Brighton units for sale. However, we guarantee to you as a renter that whenever the units are offered for sale, your price, before discounts, will always be less than prices at which units are offered to the general public.

9. Financing

We are hopeful that loans with low downpayments and graduated monthly payments will be available at reasonable interest rates when sales commence. As you are undoubtedly aware, current interest rates are high but there are reasons to expect lower rates early next year. Obviously, we will attempt to begin sales in a period when mortgage interest rates and terms are more attractive to you. We are also hopeful of arranging for your renter discounts to be applied to downpayment requirements which would substantially reduce or perhaps even eliminate downpayment.

10. Standard Moving Allowance

All residents in good standing who move at any time after we make our offer to sell your unit to you will receive a cash moving allowance equal to your last month's rent.

11. Additional Stay-on Allowance

If you stay until we give you notice to move due to the sale of your unit, and you move in a timely manner thereafter, you will receive an additional cash moving allowance equal to your last month's rent. A minimum of sixty (60) days notice of the actual moving date will be provided by us. You will be able to move at any time you wish thereafter with only seven (7) days notice to us and receive a refund of any unused rent and deposits.

12. Relocation Assistance

Lists of available alternative apartments will be provided to assist your relocation, commencing with your ninety-day right of first refusal.

13. Please Note: All of the foregoing can apply only if Park Brighton is approved by all government agencies having jurisdiction over condominium conversions. Until final approval by the City of Modesto and the State of California, no sales or even offers to sell can be made to you or to anyone else.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-741

A RESOLUTION AMENDING SECTIONS 1 AND 2 OF RESOLUTION NO. 71-197 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT ZONE, P-D(85)." (JAMES E. PRICE)

WHEREAS, the City Council, by Ordinance No. 1091-C.S. which was introduced on March 15, 1971, finally adopted on April 5, 1971, and which became effective on May 5, 1971, amended Section Map 22-3-9 of the Zoning Map to reclassify from Multiple-family Residential Zone, R-3, to Planned Development Zone, P-D(85), property located on the east side of Coffee Road northeast of Brighton Avenue in the City of Modesto, to allow construction of 132 two-story apartment units with accessory uses, and

WHEREAS, City Council Resolution No. 71-197 which was adopted on March 15, 1971, approved a development plan for P-D(85) and contained the conditions of approval thereof, and

WHEREAS, a verified application for an amendment to Planned Development Zone, P-D(85) was filed by Bripak Corporation c/o James Price on April 16, 1981, to amend Planned Development Zone, P-D(85) to allow for conversion of the existing 132 two-story apartment units to condominiums on the property located on the east side of Coffee Road northeast of Brighton Avenue in the City of Modesto, and

WHEREAS, said application was set for a public hearing before the Planning Commission on June 1, 1981 and continued to July 20, 1981 and August 3, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and

WHEREAS, at said hearings, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 81-189, found and determined that an amendment to P-D(85) to allow for conversion of the existing 132 two-story apartment units to condominiums is required by public necessity, convenience, and

general welfare for the following reasons:

1. Conversion to condominiums will allow for owner occupancy of the dwelling unit and not limit to rental occupancy only.

2. Conditions of approval including requirement for a homeowners association assure that the premises will be maintained according to the best interests of the residents as well as the general public,

and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on August 25, 1981, and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to allow for conversion of the existing 132 two-story apartment units to condominiums is required by public necessity, convenience, and general welfare for the reasons set forth in Planning Commission Resolution No. 81-189 and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Sections 1 and 2 of Modesto City Council Resolution No. 71-197 entitled "A Resolution Approving a Development Plan for Planned Development Zone, P-D(85)" are hereby amended to read as follows:

"SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(85) is hereby approved, subject to the following conditions:

1. All development shall conform to the plot plans titled "Park Brighton - Site Plan and Tentative Subdivision Map - Park Brighton" as amended in red, stamped approved by the City Council and Planning Commission on March 15, 1971 and August 3, 1981 respectively.

2. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

3. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

4. All utilities shall be underground and cable television service shall be stubbed into all units.

5. Prior to sale of any condominiums, a subdivision map shall be recorded.

6. Prior to recordation of a final subdivision map, the developer shall obtain certification from the Chief Building Official that all construction conforms to all building and fire safety standards for condominiums established by the Chief Building Official.

7. Prior to recordation of a final subdivision map, the developer shall obtain certification from the Director of Parks and Recreation that the landscaping and irrigation system generally conforms to City standards and/or any previously approved plans.

8. That any signs on the premises shall conform to the sign requirements as specified in the R-3 Zone.

9. The subdivider of P-D(85) shall institute the tenant displacement policy, referred to as the "Condominium Conversion Program", attached thereto as Exhibit "A", and shall abide by all the terms thereof.

10. Prior to the City Council approval of the final subdivision map the subdivider shall submit information to the City which, in the City's judgment, is sufficient to permit the City to make a determination regarding the subdivider's compliance with his tenant displacement policy referred to as "Condominium Conversion Program". Said information shall include at least the following:

    a. Information sufficient to permit the City to determine which are entitled to relocation benefits, including moving and stay-on allowances.

    b. Information sufficient to permit the City to determine which elderly and/or disabled tenants are entitled to extended tenancies.

    c. Information sufficient to permit the City to determine which tenants are entitled to the first right of refusal to purchase their units, and to the so-called "renter discount" and "as-is" discount."

"SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned Development Zone, P-D(85):

The construction program shall be accomplished in one phase:

Construction to begin on or before December 1, 1983, and completion to be not later than December 1, 1984."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: Patterson

ABSENT: Councilmembers: None

ATTEST: Judy Hall
JUDY HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

PARK BRIGHTON

Condominium Conversion Program

July 29, 1981
(Revised August 25, 1981)

If Park Brighton is approved by all governmental agencies having jurisdiction over condominium conversions, the following will apply to residents currently living at Park Brighton:

1. Extended Notice Period

No one will be required to leave the project because of the conversion for at least nine months from now (May 1, 1982). This extends our previous one-year notice period ending February 17, 1982.

2. Senior Citizens and Handicapped Residents

Any resident who is sixty-two (62) years of age or older by the date of the filing of the final subdivision map, or is permanently handicapped, will not have to move for at least two (2) years from the date of the filing of the final subdivision map. Rent increases for these residents during this period will be limited to increases in the Consumer Price Index for West - Size Class C Cities. During this extended rent period, these residents will still be able to move whenever they want, with only seven (7) days notice to us.

3. First Right to Buy

So long as you are a renter in good standing, you will have the "first right of refusal" to purchase your unit when the units are offered for sale. This will extend for ninety (90) days after your unit is offered to you. In addition, you will also have first choice on any other available unit in the complex for thirty (30) days after such unit is offered for sale.

4. Renter Discount

Your price, before discounts, will always be less than the price at which units are initially offered to outside buyers. In addition, as a resident, you will receive a Renter Discount of $750 for the junior one bedroom unit (Unit C), $1,000 for the small one bedroom unit (Unit A), $1,250 for the large one bedroom units (Units B and E), $1,500 for the two bedroom/one bath unit (Unit D), and $2,000 for the two bedroom/one and three-quarters bath unit (Unit F).

EXHIBIT A

5. As-Is Discount

You may choose to purchase your unit without new carpets, new drapes, paint and other interior improvements for an additional "as-is" discount reflecting our actual cost savings. We expect to spend between $1,000 and $2,500 for the improvements planned in each unit. Of course, all the planned exterior and common area improvements will still be made, and all appliances, structural and mechanical items will still be guaranteed for one year, whether or not you accept this discount.

6. Individual Unit Improvements

Unit prices will include the following upgrades for each condominium. Of course, if you believe many of these are already in good repair in your unit and do not need replacing, we will pass our cost savings on to you by the "as is" discount price:

- Install new carpets and padding
- Install new flooring in kitchen and bathroom
- Provide new draperies
- Repaint entire interior
- Install smoke detectors
- Repair or replace all appliances, as necessary
- Refinish or replace all cabinets and countertops, as necessary
- Replace or repair chipped sinks
- Repair or replace shower and tub units, as necessary
- Provide one year warranty on all appliances, airconditioning, plumbing, and electrical system
- Re-key all locks

7. Exterior Renovation

The following improvements will be made to the exterior to insure the building, grounds and common areas are up-graded to like-new condition:

- Repaint entire exterior of buildings
- Resurface all driveways and restripe parking areas
- Resurface all tar and gravel roofs
- Replace all carport posts

8. Price Estimates

Although we have not priced individual units yet, we have established an average price estimate for each unit type, as of August 1, 1981, which would be applicable if the units were sold today. Inflation, unpredictable delays, changes in renovation costs, and State law make it impossible to set unit prices at this time. However, our current estimated renter prices, after discounts, are as follows:

8. Price Estimates (Continued)

	Jr. One Bedroom ("C")	One Bedroom ("A")	One Bedroom ("B")	One bedroom/Loft ("E")	Two Bedroom ("D")	Two Bedroom 1-3/4 Bath ("F")
August 1981 Estimated Public Market Price	$31,000	$42,000	$49,000	$53,000	$64,000	$72,000
Renter's Basic Discount	(750)	(1,000)	(1,250)	(1,250)	(1,500)	(2,000)
Renovation "As-Is" Discount	(1,000)	(1,250)	(1,500)	(1,500)	(2,000)	(2,500)
Resident's Net Price Estimate	$29,250	$39,750	$46,250	$50,250	$60,500	$67,500

Please remember that it may be well into 1982 or perhaps even later that we are able to offer Park Brighton units for sale. However, we guarantee to you as a renter that whenever the units are offered for sale, your price, before discounts, will always be less than prices at which units are offered to the general public.

9. Financing

We are hopeful that loans with low downpayments and graduated monthly payments will be available at reasonable interest rates when sales commence. As you are undoubtedly aware, current interest rates are high but there are reasons to expect lower rates early next year. Obviously, we will attempt to begin sales in a period when mortgage interest rates and terms are more attractive to you. We are also hopeful of arranging for your renter discounts to be applied to downpayment requirements which would substantially reduce or perhaps even eliminate downpayment.

10. Standard Moving Allowance

All residents in good standing who move at any time after we make our offer to sell your unit to you will receive a cash moving allowance equal to your last month's rent.

11. Additional Stay-on Allowance

If you stay until we give you notice to move due to the sale of your unit, and you move in a timely manner thereafter, you will receive an additional cash moving allowance equal to your last month's rent. A minimum of sixty (60) days notice of the actual moving date will be provided by us. You will be able to move at any time you wish thereafter with only seven (7) days notice to us and receive a refund of any unused rent and deposits.

12. Relocation Assistance

Lists of available alternative apartments will be provided to assist your relocation, commencing with your ninety-day right of first refusal.

13. Please Note: All of the foregoing can apply only if Park Brighton is approved by all government agencies having jurisdiction over condominium conversions. Until final approval by the City of Modesto and the State of California, no sales or even offers to sell can be made to you or to anyone else.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-742

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (316).

WHEREAS, a verified application for an amendment to Section 7-3-9 of the Zoning Map was filed by Hischier Nursery on June 29, 1981, to reclassify from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in a portion of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and lying within the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the centerline intersection of Carver Road and Standiford Avenue as shown on that certain map entitled "Tully Manor No. 6" filed in Volume 23 of Maps, at page 55, Stanislaus County Records; thence South 89°08'00" East along said centerline of Standiford Avenue, a distance of 922.92 feet to the POINT OF BEGINNING of this description; thence continuing on said centerline 395.22 feet; thence leaving said centerline South 1°01'24" East, a distance of 270.15 feet, to the North line of said Tully Manor No. 6; thence North 89°08'00" West along said North line of Tully Manor No. 6, a distance of 395.22 feet; thence leaving said North line of Tully Manor No. 6, North 1°01'24" West, 270.15 feet to the Point of Beginning.

WHEREAS, after public hearing held on August 3, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. Because of its space requirements it is hard to locate nursery sites in existing commercial areas.

2. A nursery can be compatible with residential development, and the P-D zone and conditions of approval insure a degree of compatibility consonant with surrounding properties.

WHEREAS, after a public hearing held on August 25, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Hischier Nursery for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2075-C.S. on the 25th day of August, 1981, reclassifying the above-described property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D (316).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(316) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan titled "Proposed Plan for Hischier Nursery" as amended in red, stamped approved by the Planning Commission on August 3, 1981.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code. Screen landscaping shall be installed along the south property line.

3. Fencing shall be constructed prior to occupancy and shall be as follows:

   a. Seven foot decorative masonry wall along the south property line.

   b. Six foot chain link fence along the west and east property lines. Plant material shall be installed so the chain link fence provides a solid visual screen.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. The developer shall dedicate and/or improve sufficient right-of-way as required by the Director of Public Works to complete Standiford Avenue to a major street standard prior to occupancy or upon demand by the City, whichever occurs first.

6. The required public street improvements shall be constructed prior to occupancy of any structures.

7. Prior to issuance of a building permit, street improvement plans shall be approved by the Director of Public Works.

8. Prior to issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the Director of Public Works.

9. Drainage shall be provided as required by the Director of Public Works.

10. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

11. The developer shall, in a manner approved by the City Attorney, provide a vehicular accessway for onsite traffic circulation for the benefit of the properties to the west and east, substantially as shown in red on the plot plan.

12. All businesses may be open to the public only between the hours of 7 a.m. and 7 p.m. seven days a week, unless a use permit for each business seeking additional hours is obtained from the Board of Zoning Adjustment.

13. No operations conducted on the premises shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration, or electrical interference detectable off the premises. All machinery or equipment shall be soundproofed as required by the Director of Public Works.

14. All signs shall comply with the sign requirements of the H-1 Zone.

15. The applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. Hydrants shall be installed and operable prior to occupancy of any structures.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (316):

Construction to begin on or before January 1, 1983, and completion to be not later than January 1, 1985.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (316) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Bruchs
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-743

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 7-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (HISCHIER NURSERY)

WHEREAS, on August 25, 1981, the City Council introduced Ordinance No. 2075 giving approval to a project relating to an amendment to Section Map 7-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(316), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 7-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(316).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-744

A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE ELEVENTH STREET PARKING GARAGE AS COMPLETE

WHEREAS, a report has been filed by the Director of Parking and Traffic **that the construction of** the Eleventh Street parking garage **has been completed by** SMF Corporation

in accordance with the contract agreement dated April 15, 1980.

NOW, THEREFORE, BE IT RESOLVED that the construction of the Eleventh Street parking garage **be accepted from said contractor,** SMF Corporation;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $39,018 , less City expenditures of $549.88 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th **day of** August, 19 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-745
AMENDED

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND SMF CORPORATION TO ALLOW SUBSTITUTION OF BONDS FOR RETAINED PERCENTAGE ON ELEVENTH STREET PARKING GARAGE PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and SMF Corporation to allow substitution of bonds for retained percentage on Eleventh Street parking garage project

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th **day of** August, **19**81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-746

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING THREE TURF TRUCKS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of three turf trucks

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 22, 1981, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-747

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING FOUR INDUSTRIAL LOADERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for purchase of four industrial loaders

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 22, 1981, at 2:20 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-748

A RESOLUTION ACCEPTING THE BID OF MAC'S BACKHOE SERVICE FOR THE WATERLINE EXTENSION AT OAKDALE AND SYLVAN AVENUES

WHEREAS, Resolution No. 81-643, adopted by the Council of the City of Modesto on July 28, 1981, approved the plans and specifications for the waterline extension at Oakdale and Sylvan and authorized the calling for bids; and

WHEREAS, the bids received for the waterline extension at Oakdale and Sylvan were opened at 11:00 a.m. on August 18, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Mac's Backhoe Service in the amount of $111,190 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Mac's Backhoe Service in the amount of $111,190 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-749

A RESOLUTION WAIVING FORMAL BID PROCEDURES AND AUTHORIZING THE PURCHASE OF LARGE LAMPS FOR FISCAL YEAR 1981-82 FROM THE CALIFORNIA STATE DEPARTMENT OF GENERAL SERVICES

WHEREAS, it is staff's recommendation to use the State's Cooperative Purchasing Program since substantial savings in some areas can be realized by buying from the State's Net Price List of recommended energy efficient lamps.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of large lamps for fiscal year 1981-82 is hereby waived.

BE IT FURTHER RESOLVED that purchase of large lamps for fiscal year 1981-82 from the California State Department of General Services for the estimated amount of $17,000 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1981, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-750

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON REPORT OF WORK AND COST OF CONSTRUCTION OF ALLEYS IN CERTAIN BLOCKS IN THE CITY OF MODESTO (BLOCK NO.S 6706, 6834, 6627 AND 801-A)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that September 22, 1981, at 7:30 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of the attached report by the Superintendent of Streets listing the names of property owners and individual cost of construction of alleys in Blocks 6706,6834,/6627 and 801-A in the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: JUDY C. HALL, Acting City Clerk

CONSENT
15. Block 6706 Monte Carlo-Mount Verde/Monte Cristo-Hawthorne

Name	Lot	Amount
Roland H. DeLay	1	$314.26
Larry Medina Jr. & Karen J. Stagno	2	$294.66
Rudy G. Briones	3	$294.66
James B. Johnson	4	$294.66
Dale D. Williams	5	$294.66
Lloyd B. Anderson	6	$294.66
Nina Mineni	7	$294.66
Dorothy Jarrel	8	$294.66
Thomas O. Croft	9	$298.01
John F. Hutton	15	$310.37
Arnold O. Peterson	16	$308.05
Franklin D. Lindstrom	17	$308.05
Joseph V. Wood	18	$303.59
Barrett Newson	19	$303.59
Gordon Hollingsworth	20	$303.59
Orville A. Atnip	21	$301.93
William E. Selchow	22	$446.45

Block 6834 McHenry Avenue-Kirkwood Avenue/Leveland Ln.-Bowen Avenue

Marvin L. Jones	8	$378.62
Ann Edmiston	9	$686.03
Elmo Wilson Sr.	24	$443.62
Pay Less Drug Stores	Por.	$1,676.05

Block 6627 Mount Vernon-Joni/Fay-Cheryl

Donald M. Campiotti	9	$284.70
Harry D. Birks	10	$268.50
Oletta & Johnston	11	$268.50
Clarence H. Nusser	12	$268.50
Estes E. Terry	13	$268.50
Kris D. Bradford	14	$268.50
Jerry T. Steele	15	$268.50
Carroll Underwood	16	$268.50
Leonard Kirkava	17	$326.41
Fernandes & Waterman	1	$313.25
Dan B. Hammon	2	$308.78
Elvis E. Sholer	3	$308.78
Elaine M. Gay	4	$308.78
Roy D. Cagle	5	$308.78
Stanley F. Baranski	6	$308.78
Carl R. Holland	7	$308.78
David W. Moody	8	$308.78

15. CONSENT (Continued)
Block 801-A Mills-Columbia/Princeton-Yale

Mary G. Conway	1 & Por. 2	$442.10
Jack E. McCoy	3 & Por. 2 & 4	$637.77
Richard A. Weigland	5 & Por. 4	$388.99
Gene E. Johnson	6	$291.74
Donald W. Rosenberg	7	$291.74
Frederick W. Reyland Jr.	8 & Por. 9	$353.63
Kenneth E. Stevens	Por. 9 & 10	$331.53
Richard N. LeGrand	Por. 10 & 11	$341.74
Ernest V. Darpinian	12 & Por. 11	$441.97

MODESTO CITY COUNCIL
RESOLUTION NO. 81-751

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE WOODLAND AVENUE FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Woodland Avenue Fire Protection District in Stanislaus County was annexed to the City of Modesto as Woodland-Bennett Annexation by Resolution No. 81-655 adopted on August 4, 1981, and said annexation officially became a part of the City of Modesto on August 14, 1981, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Woodland Avenue Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1981.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None.

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

February 23, 1981
Corrected April 29, 1981

CITY OF MODESTO
WOODLAND-BENNETT
ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 24, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described ad follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the ROSEMORE-WOODLAND ADDITION (347) as per description filed October 14, 1976, as Instrument 19721, Stanislaus County Records, said point being on the South line of Section 24 and the center line of 40 foot Woodland Avenue;

1. thence along the existing City Limits on the boundary of ADDITION (347) the following bearings and distances, North 01° 06' 52" West, 190.00 feet;

2. thence North 88° 36' 41" East, 15.00 feet;

3. thence North 01° 06' 52" West, 173.00 feet;

4. thence North 88° 36' 41" East, 118.00 feet;

5. thence North 01° 06' 52" West, 300.84 feet;

6. thence leaving the existing City Limits, North 88° 34' 55" East, 155.00 feet;

7. thence South 01° 06' 52" East, 663.92 feet, to the South line of Section 24 and the center line of 40 foot Woodland Avenue;

8. thence along said South line and center line, South 88° 36' 41" West, 288.00 feet, to the point of beginning, containing 3.411 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-752

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAN AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (WOODLAND-BENNETT)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 81-655 on August 14, 1981, certain territory known as Woodland-Bennett Annexation, and

WHEREAS, the inclusion of the area contained in Woodland-Bennett Annexation to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Woodland-Bennett Annexation (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 224.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, October 6, 1981, at the hour of 4:00 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgement of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 224.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the

Council voting for and against it, to be published once a week for at least two (2) weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) A southwest corner of the annexation at the north line of Woodland Avenue approximately 250' east of Emigrant Way.

(2) The southern line of the annexation at the north line of Woodland Avenue approximately 394' east of Emigrant Way.

(3) The southeast corner of the annexation at the north line of Woodland Avenue approximately 538' east of Emigrant Way.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address

as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 224, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Hensinger

NOES: Councilmembers None

ABSENT: Councilmembers None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

February 23, 1981
Corrected April 29, 1981

CITY OF MODESTO
WOODLAND-BENNETT
ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 24, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described ad follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the ROSEMORE-WOODLAND ADDITION (347) as per description filed October 14, 1976, as Instrument 19721, Stanislaus County Records, said point being on the South line of Section 24 and the center line of 40 foot Woodland Avenue;

1. thence along the existing City Limits on the boundary of ADDITION (347) the following bearings and distances, North 01° 06' 52" West, 190.00 feet;

2. thence North 88° 36' 41" East, 15.00 feet;

3. thence North 01° 06' 52" West, 173.00 feet;

4. thence North 88° 36' 41" East, 118.00 feet;

5. thence North 01° 06' 52" West, 300.84 feet;

6. thence leaving the existing City Limits, North 88° 34' 55" East, 155.00 feet;

7. thence South 01° 06' 52" East, 663.92 feet, to the South line of Section 24 and the center line of 40 foot Woodland Avenue;

8. thence along said South line and center line, South 88° 36' 41" West, 288.00 feet, to the point of beginning, containing 3.411 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on August 25, 1981, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Siefkin, seconded by Councilmember Muratore, and adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: August 25, 1981

Judy C. Hall

Acting City Clerk of the City of Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-753

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DEBBIE A. JONES AND JACQUELINE SIMS FOR THE LEASE OF THE FORMER SOMMERFELD HOUSE AT 2955 LINCOLN AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Debbie A. Jones and Jacqueline Sims **for** the lease of the former Sommerfeld House at 2955 Lincoln Avenue

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th **day of** August, **19** 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-754

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DEBBIE A. JONES AND SONJA PENQUITE FOR THE LEASE OF THE FORMER DOIDGE PASTURE AND BARN

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Debbie A. Jones and Sonja Penquite **for** the lease of the former Doidge pasture and barn, said lease to expire September 15, 1983 **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th **day of** August, **19** 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-755

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND SALLY ANN HART DBA: H.A.R.T., FOR PROVIDING ADVERTISING AT THE AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Sally Ann Hart dba: H.A.R.T.

for advertising which consists of providing a phone system for contacting local services, restaurants, lodging, and business advertising displays

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th **day of** August, **19** 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-756

A RESOLUTION ESTABLISHING THE AMOUNT OF THE CASH DEPOSIT TO BE FURNISHED TO THE CITY OF MODESTO FOR EACH INTERIOR MONUMENT REQUIRED IN A SUBDIVISION.

WHEREAS, Section 4-4.804(c) of the Modesto Municipal Code authorizes the Council, by resolution, to establish the amount of cash deposit required to be furnished to the City of Modesto for each interior monument to be set after the filing of a final subdivision map,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that in accordance with Section 4-4.804(c) of the Modesto Municipal Code, the amount of the cash deposit required to be furnished to the City of Modesto for each interior monument to be set after the filing of a final subdivision map shall be Thirty and no/100ths ($30.00) Dollars.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

RESCINDED
1990-832
THIS RESOLUTION WAS RESCINDED BY MODESTO CITY COUNCIL RESOLUTION NO.

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-757

A RESOLUTION APPROVING THE FINAL MAP OF THE RESUBDIVISION OF THE VINEYARD NO. 1 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Bright Development, a California corporation, is possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 15.00 acres, known as the Resubdivision of the Vineyard No. 1 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 6th day of April, 1981, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Resubdivision of the Vineyard No. 1 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct, and

WHEREAS, certain public improvements required by the City of Modesto in said tract have been constructed, and as to those public improvements which have not been so constructed, subdividers have furnished securities in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to, securing the obligations set forth in Section 66499.3 of the Government Code of the State of California,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and easements as shown thereon

within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-758

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 1515 ENCINA AVENUE (VICTOR H. CHRISTENSEN - $1,885.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19---, adopt its Resolution No. ----------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb on property abutting the property hereafter described; and

WHEREAS, September 1, 1981, 19 81, at 4:00 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,885.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,885.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Commencing at the West ¼ corner of Sec. 27, T. 3 S., R. 9 E., M.D.B. & M.; thence E. 1113.02'; thence, N. 62.5' to the true point of beginning; thence N. 249.8'; thence, E. 90'; thence S. 249.8'; thence W. 90' to the point of beginning.
(Stan. Cty. Assessor's Parcel No. 002-01 108-0314-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of September, 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-759

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 1332 SUNRISE AVENUE (MIKE G. STAVRAKAKIS - $1,500.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on February 24, 1981, adopt its Resolution No. 81-131, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, September 1, 1981, 19____, at 4:00 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,500.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,500.00, shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 18 and 19 of Bl. 1140 of Sunrise Homes as per map filed 6/25/45 in Vol. 14 of Maps, Pg. 36, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 031-1505-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of September, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-760

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 8-4-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (ROBERT MC DONALD, D.V.M.)

WHEREAS, on September 1, 1981, the City Council introduced Ordinance No. 2076-C.S. giving approval to a project relating to an amendment to Section Map 8-4-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, and Highway Frontage Zone, H-1, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 8-4-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, and Highway Frontage Zone, H-1.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of September, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-761

A RESOLUTION AMENDING SECTIONS 1 AND 2 OF RESOLUTION NO. 79-792 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (234)" (REX PROPERTIES).

WHEREAS, the City Council, by Ordinance No. 1861-C.S., effective September 20, 1979, amended Section Map 12-3-8 of the Zoning Map to reclassify from Planned Development Zone, P-D(207) to a new Planned Development Zone, P-D(234), property located on the northeast corner of Sisk Road and Rumble Road, to allow a professional office complex, and

WHEREAS, City Council Resolution No. 79-792 which was adopted on August 7, 1979, approved the development plan and schedule for P-D(234) and also contained the conditions of approval for the development of said use on the P-D(234) property, and

WHEREAS, a verified application for an amendment to Planned Development Zone, P-D(234) was filed by Rex Properties on July 1, 1981, to allow a Red Lobster Restaurant in addition to business/professional offices on property located at the northeast corner of Sisk Road and Rumble Road, and

WHEREAS, said application was set for a public hearing before the Planning Commission on August 3, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 81-194, found and determined that an amendment to Planned Development Zone, P-D(234) to allow a Red Lobster Restaurant in addition to business/professional offices in said P-D Zone on property located at the northeast corner of Sisk Road and

and Rumble Road, is required by public necessity, convenience and general welfare, for the following reason:

> Much similar commercial development has occurred recently near this property including Grantree Furniture to the south, Longs/Lucky Center to the north, and the Pizza Restaurant across Sisk to the west so as to make establishment of a restaurant as proposed both reasonable and compatible.

and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on September 1, 1981, and

WHEREAS, the City Council certifies it has reviewed and considered the findings of the Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed amendment to Planned Development Zone, P-D(234), and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to Planned Development Zone, P-D(234) to allow a Red Lobster Restaurant in addition to business/professional offices on property located at the northeast corner of Sisk Road and Rumble Road, is required by public necessity, convenience and general welfare for the reason set forth in Planning Commission Resolution No. 81-194 and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Sections 1 and 2 of Modesto City Council Resolution No. 79-792 entitled "A Resolution Approving a Development Plan for Planned-Development Zone, P-D(234)", are hereby amended to read as follows:

"SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(234) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan titled "Site Plan, Rex Properties - Sisk and Rumble Development" as amended in red, stamped approved by the Planning Commission on August 3, 1981.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code. Screen landscaping shall be installed along the east property line.

3. Fencing shall be constructed prior to occupancy and shall be as follows:

   Six foot board fence with decorative masonry pilasters along the north and east property lines.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. The developer shall dedicate and/or improve sufficient right-of-way as required by the Director of Public Works to complete Sisk Road and Rumble Road to major and collector street standards prior to occupancy or upon demand by the City, whichever occurs first.

6. The developer shall improve the easterly one half of the Sisk Road frontage of the Hetch-Hetchy right-of-way to major street standards.

7. The required public street improvements shall be constructed prior to occupancy of any structure.

8. Prior to issuance of a building permit, street improvement plans shall be approved by the Director of Public Works.

9. Prior to issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the Director of Public Works.

10. Irrigation lines shall be removed or relocated as required by the Modesto Irrigation District and the Director of Public Works. Easements for irrigation lines to remain shall be dedicated.

11. Drainage shall be provided as required by the Director of Public Works.

12. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

13. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

14. All signs for the offices shall comply with the sign requirements of the P-O Zone, for the restaurant, the H-1 Zone. No signs shall be placed on the east wall of the offices.

15. All curbcuts serving two-way driveways shall be widened to 41 feet in width.

16. The applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. Hydrants shall be installed and operable prior to construction of any structures.

17. The developer shall, in a manner approved by the City Attorney, provide a vehicular accessway for onsite traffic circulation between the restaurant and office complex portions of the site, substantially as shown in red on the plot plan."

"SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D(234):

The construction program shall be accomplished in two phases:

Phase I, to be the restaurant, construction shall begin on or before July 1, 1982, with completion to be not later than July 1, 1983.

Phase II, to be the offices, construction shall begin on or before July 1, 1983, with completion to be no later than July 1, 1984."

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to file with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of September, 1981, by Councilmember Muratore, who moved its adoption,

which motion being duly seconded by Councilmember Elliott,

was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-761A

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO THE ZONING REGULATIONS OF THE MODESTO MUNICIPAL CODE (CANOPY AND MARQUEE SIGNS)

WHEREAS, on September 1, 1981, the City Council introduced Ordinance No. 2078-C.S. giving approval to a project relating to an amendment to the Zoning Regulations of the Modesto Municipal Code (canopy and marquee signs), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to the Zoning Regulations of the Modesto Municipal Code (canopy and marquee signs).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of September, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 762

A RESOLUTION AMENDING THE CONFLICT OF INTEREST CODE OF THE OFFICE OF THE CITY MANAGER.

WHEREAS, a Conflict of Interest Code for the Office of the City Manager of the City of Modesto was approved by Modesto City Council Resolution No. 77-480 pursuant to Resolution No. 77-27 of the City of Modesto designating the agencies of the City of Modesto required to adopt a Conflict of Interest Code, and

WHEREAS, due to changed circumstances said Code has been previously amended by Modesto City Council Resolutions No. 78-950, 80-70, and 81-442, and

WHEREAS, due to additional changed circumstances said Code should be further amended, and

WHEREAS, the Council held a public hearing on June 2, 1981, to consider the proposed amendment,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Exhibit "A" of the Conflict of Interest Code of the Office of the City Manager of the City of Modesto is hereby amended, as attached hereto, to add Assistant Risk Manager, with Disclosure Category 2, said amendment to be effective upon the adoption of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of September, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried

RESCINDED
1992-194
THIS RESOLUTION WAS RESCINDED BY MODESTO CITY COUNCIL RESOLUTION NO.

and the resolution adopted by the following vote:

AYES Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

EXHIBIT "A"

Designated Positions	Disclosure Category
Assistant Risk Manager	2
City Manager	1
Director of Management Services	2
Management Assistant	2
Personnel Manager	2
Public Services Officer	2
Risk Manager	2

MODESTO CITY COUNCIL
RESOLUTION NO. 81-763

A RESOLUTION AMENDING THE CONFLICT OF INTEREST CODE OF THE FINANCE DEPARTMENT.

WHEREAS, a Conflict of Interest Code for the Finance Department of the City of Modesto was approved by Modesto City Council Resolution No. 77-483 pursuant to Resolution No. 77-27 of the City of Modesto designating the agencies of the City of Modesto required to adopt a Conflict of Interest Code, and

WHEREAS, due to changed circumstances said Code has been previously amended by Modesto City Council Resolution No. 77-1220 and 81-443, and

WHEREAS, due to additional changed circumstances said Code should be further amended, and

WHEREAS, the Council held a public hearing on September 1, 1981, to consider the proposed amendment,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Exhibit "A" of the Conflict of Interest Code of the Finance Department of the City of Modesto is hereby amended, as attached hereto, to add Data Processing Manager, with Disclosure Category 3, and delete Data Processing Supervisor with Disclosure Category 3, said amendment to be effective upon the adoption of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of September, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution

RESCINDED
1992-196
THIS RESOLUTION WAS RESCINDED BY MODESTO CITY COUNCIL RESOLUTION NO.

adopted by the following vote:

AYES Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

EXHIBIT "A"

Designated Positions	Disclosure Category
Director of Finance	1, 2
Accounting Administrator	1, 2
Accountant	1, 2
Purchasing Officer	1, 2
Warehouse Supervisor	2
Data Processing Manager	3
Purchasing Assistant II	2
Purchasing Assistant I	2
Senior Accountant	1, 2
Cost Analyst	1, 2

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 764

A RESOLUTION AMENDING THE CONFLICT OF INTEREST CODE OF THE PUBLIC WORKS DEPARTMENT.

WHEREAS, a Conflict of Interest Code for the Public Works Department of the City of Modesto was approved by Modesto City Council Resolution No. 77-489 pursuant to Resolution No. 77-27 of the City of Modesto designating the agencies of the City of Modesto required to adopt a Conflict of Interest Code, and

WHEREAS, due to changed circumstances said Code has been previously amended by Modesto City Council Resolutions No. 77-1219, 78-383, 79-44, 80-72, 80-416, 80-837, and 81-447, and

WHEREAS, due to additional changed circumstances said Code should be further amended, and

WHEREAS, the Council held a public hearing on September 1, 1981, to consider the proposed amendment,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Exhibit "A" of the Conflict of Interest Code of the Public Works Department of the City of Modesto is hereby amended, as attached hereto, to add Supervising Construction Inspector, with Disclosure Categories 1, 2, 3, 4(a), 4(b), and 4(f).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of September, 1981, by Councilmember Bright, who moved its adoption, which motion being duly

RESCINDED
1992-202
THIS RESOLUTION WAS RESCINDED BY MODESTO CITY COUNCIL RESOLUTION NO.

seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

EXHIBIT "A"

Designated Positions	Disclosure Category
Administrative Analyst	4(g), 4(h)
Airport Manager	4(a), 4(b), 4(c)
Assistant Building Inspector	4(f)
Assistant Director of Public Works	1, 2, 3, 4(n)
Assistant Property Agent	1, 2, 3, 4(a), 4(b), 4(k)
Associate Civil Engineer	1, 2, 3, 4(n)
Building Inspector	4(f)
Building Maintenance Supervisor	4(e)
Chief Building Official	1, 2, 3, 4(a), 4(b), 4(f), 4(m)
Chief Electrician	4(a), 4(b), 4(h)
Civil Engineering Tech. III (Sdw. Program)	4(f)
Construction Inspector	4(f)
Director of Public Works/City Engineer	1, 2, 3, 4(n)
Shop Supervisor	4(a), 4(b), 4(d)
Industrial Waste Inspector	4(j)
Plan Review Engineer I	1, 2, 3, 4(a), 4(b), 4(f)
Property Agent	1, 2, 3, 4(a), 4(b), 4(k)
Senior Building Inspector	1, 2, 3, 4(a), 4(b), 4(f)
Streets Maintenance Engineer	1, 2, 3, 4(a), 4(b), 4(f), 4(g), 4(h)
Supervising Building Inspector	1, 2, 3, 4(a), 4(b), 4(f)
Supervising Construction Inspector	1, 2, 3, 4(a), 4(b), 4(f)
Wastewater Treatment Plant Supervisor	4(j)
Water Quality Control Superintendent	1, 2, 3, 4(a), 4(b), 4(j)
Water System Inspector	4(g)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-765

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ANNUAL REQUIREMENTS OF STREET NAME SIGNS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of annual requirements of street name signs

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 22, 1981, at 2:10 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of September, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-766

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF THE NORTH SIDE OF SCENIC DRIVE AT WYCLIFFE DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of the north side of Scenic Drive at Wycliffe Drive

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 22, 1981, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of September, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-767

A RESOLUTION ACCEPTING THE BID OF LEE WHITE PAVING CO. FOR THE DOWNTOWN ALLEY RECONSTRUCTION - PHASE 3

WHEREAS, Resolution No. 81-660, adopted by the Council of the City of Modesto on August 4, 1981 , approved the plans and specifications for the downtown alley reconstruction - Phase 3 and authorized the calling for bids; and

WHEREAS, the bids received for the downtown alley reconstruction - Phase 3 were opened at 11:00 a.m. on August 25, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Lee White Paving Co. in the amount of $94,979.44 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Lee White Paving Co. in the amount of $94,979.44 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of September, 19 81, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-768

A RESOLUTION ACCEPTING THE/CONSTRUCTION OF WELL NO. 45 AT MANCINI PARK

WHEREAS, a report has been filed by the Director of Public Works that the/construction of Well No. 45 at Mancini Park

has been completed by Central Pump

in accordance with the contract agreement dated April 21, 1981.

NOW, THEREFORE, BE IT RESOLVED that the/construction of Well No. 45 at Mancini Park be accepted from said contractor, Central Pump;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $14,561 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of September, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-769

A RESOLUTION ACCEPTING THE REFINISHING OF CLARIFIER NO. 1 AT THE WATER QUALITY CONTROL PLANT

WHEREAS, a report has been filed by the Director of Public Works **that the** refinishing of Clarifier No. 1 at the Water Quality Control Plant **has been completed by** Don L. Davis, Inc.

in accordance with the contract agreement dated May 26, 1981.

NOW, THEREFORE, BE IT RESOLVED that the refinishing of Clarifier No. 1 at the Water Quality Control Plant **be accepted from said contractor,** Don L. Davis, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $6,483 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st **day of** September, **19** 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-770

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDENDUM TO SPECIFICATION 2A, LOWERING THE PERFORMANCE BOND REQUIREMENT FROM $2000,000 TO $5,000 ON THE NEW BUS SERVICE AGREEMENT, INTRACITY TRANSIT

WHEREAS, the specifications for the new bus service agreement, Intracity Transit, require a $200,000 performance bond which TRIPS is unable to secure because of a lack of assets; and

WHEREAS, after reviewing the requirements of the new agreement, staff believes that a $5,000 performance bond will suffice; and

WHEREAS, reducing the performance bond to $5,000 would:

1. Provide funds to cover the extra costs should the contractor default on the bus service agreement.

2. Allow TRIPS to bid on the new agreement thus keeping the bidding competitive.

3. Possibly result in lower bids because of the reduced cost of the reduced bond requirement.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Modesto that issuance of an addendum to Specification 2A, lowering the performance bond requirement from $200,000 to $5,000 on the new bus service agreement, Intracity Transit,is hereby authorized,

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of September, 1981, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-771

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND COOPERATIVE PERSONNEL SERVICES FOR THE PERFORMANCE OF TECHNICAL PERSONNEL SERVICES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Cooperative Personnel Services **for** their services in the testing and selection area, said agreement to expire on August 31, 1984 **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st **day of** September, **19** 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-772

A RESOLUTION GRANTING A REVOCABLE PERMIT TO OMIT THE SIDEWALKS ON THE HANEY AND LEONARD AVENUE FRONTAGES OF THE PROPOSED DEVELOPMENT AT 730 N. NINTH STREET

WHEREAS, Ms. Edna Ruiz, the owner of the parcel at 730 N. Ninth Street, has requested that sidewalks not be required on the subject street frontages; and

WHEREAS, Ms. Ruiz does intend to install a sidewalk and other improvements on the North Ninth Street frontage; and

WHEREAS, Section 7-1.502(b) provides for special permits to omit the sidewalk in M-1 zones upon approval by the Council; and

WHEREAS, the Public Works staff and the Planning and Community Development staff have reviewed the Ruiz proposal and agree to issuance of the permit under certain conditions.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a revocable permit to omit the sidewalks on the Haney and Leonard Avenue frontages of the proposed of the parcel at 730 North Ninth Street be and hereby is approved subject to the following conditions:

1) That all specified or required public improvements be installed except for sidewalks along the Haney and Leonard Avenue frontages.

2) That curbs be installed along the Haney and Leonard frontages, including depressions in the curb for future wheelchair ramps.

3) That a 4' grass strip be provided in the back of the curb along the Haney and Leonard frontages and that the remainder of the parkage be landscaped.

4) That the 4' grass strip be made available for pedestrian traffic.

5) That this permit be subject to revocation by the City Council, and that sidewalks may be required on all of the frontages of the parcel at some undetermined future date which may be dictated by demonstrated requirements for paved sidewalks, to provide for continuity for pedestrian traffic when the surrounding area fully developes, changes in occupancy on the parcel, or any other condition which the Council might deem desirable to require the installation of sidewalks.

6) That if the landscaped parkage is not maintained to the satisfaction of the Director of Public Works, the Director of Public Works may then order the installation of sidewalks.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of September, 1981, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-773

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR PROPOSED CALIFORNIA-SPENCER ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for the proposed California-Spencer Annexation Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of September, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-774

A RESOLUTION INITIATING PROCEEDINGS FOR THE PROPOSED ANNEXATION OF INHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS WHITMORE NO. 3 ANNEXATION TO THE CITY OF MODESTO, AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by the owners of land or registered voters residing within territory in the County of Stanislaus requesting annexation of the Whitmore No. 3 Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated August 19, 19 81, determined that said territory is inhabited and approved the initiation of proceedings for annexation of said inhabited territory to the City of Modesto pursuant to the Government Code, a copy of which resolution is attached hereto as Exhibit A and made a part hereof by reference, and

WHEREAS, the terms and conditions of the proposed annexation, if any, are set forth in said resolution, and

WHEREAS, the reason or reasons for the proposed annexation in the proposal thereof submitted to the Commission are set forth in page 7 of the application, which page is attached hereto as Exhibit B and made a part hereof by reference, and

WHEREAS, the chief petitioners requesting said annexation as set forth in the application filed with the Commission are:

Name	Address
Ron Malik	2901 Morgan Road, Modesto, CA 95307
Richard Oberg	2812 Jahrom Ln., Modesto, CA 95355
M. E. Harness	1105 Whitmore Avenue Modesto, CA 95351

and

WHEREAS, the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situated in the County of Stanislaus, State of California, and has been designated as Whitmore No. 3 Annexation to the City of Modesto, the exterior boundaries of which are set forth in the description attached hereto as Exhibit C and made a part hereof by reference, and

WHEREAS, no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described territory to the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED AND NOTICE IS HEREBY GIVEN that the 22nd day of September, 1981, at the hour of 7:30 o'clock P.M. in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto be and is hereby fixed as the time and place for considering said annexation, at which time and place any owner of land or registered voter residing within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed.

1. Any such protest must be in writing, must be filed with the City Clerk at any time before the conclusion of the hearing on the proposed annexation, and must give the name and address of the owner of land with the description and area of such property, in general terms, or the name and address of the registered voter.

2. The City Clerk shall cause a copy of this resolution to be published at least twice, but not more often than once a week in The Modesto Bee, a newspaper

of general circulation, published in the City of Modesto and in the County of Stanislaus and being the official newspaper of the City of Modesto. Said publications shall be commenced at least fifteen (15) days prior to the date set for the hearing.

3. The City Clerk of the City of Modesto shall also cause a copy of this resolution to be mailed to:

(a) Any person who has filed his name and address with the City Clerk and has requested such mailed notice;

(b) The chief petitioners, if any, as indicated in the petition initiating proceedings;

(c) To each affected city, county, and district; and

(d) To the executive officer of the Local Agency Formation Commission.

4. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of September, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn J. Johnson
ELWYN J. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

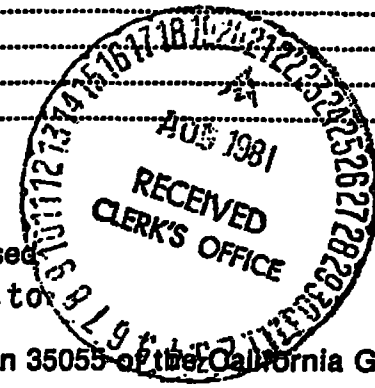
By Ron Campbell
Public Works Department

RESOLUTION

Date: AUGUST 19, 1981 No. 81-43

Subject: WHITMORE NUMBER 3 ANNEXATION TO THE CITY OF MODESTO

On motion of Commissioner Cannella, Seconded by Commissioner Ulm, and approved by the following vote,
Ayes: Commissioners: Cannella, Ulm, Starn & Garcia
Noes: Commissioners: --
Absent: Commissioners: Condit and Draper
Disqualified: Commissioners: Muratore
Abstaining: Commissioners: --



THE FOLLOWING RESOLUTION WAS ADOPTED:

WHEREAS, the Commission has conducted a public hearing on the proposed Whitmore Number 3 Annexation to the City of Modesto;

WHEREAS, notice of the said public hearing was given pursuant to Section 35055 of the California Government Code; and

WHEREAS, the Commission has, in evaluating the proposal, considered the report submitted by the Executive Officer and the factors set forth in Section 54796 of the California Government Code;

NOW, THEREFORE, BE IT RESOLVED that the Commission:

1. Certify that you have considered the Negative Declaration recommended by the Environmental Review Committee;

2. Find that: (a) the territory involved in the proposal is inhabited; (b) the approval of the proposal would not have a significant effect on the environment; (c) the territory involved in the proposal is committed to urbanization; (d) adequate public services will be available if the affected territory is annexed to Modesto; (e) the proposal is consistent with all applicable local general plans and related growth and development plans; and (f) the territory involved in the proposal has a need for the services which would be provided upon annexation;

3. Approve the Negative Declaration, and order that it be filed with the Stanislaus County Clerk;

4. Designate the proposal as the Whitmore Number 3 Annexation to the City of Modesto;

5. Approve the proposal, subject to the condition that its boundaries extend to the centerline of the existing Ustick Road; and

6. Designate the City of Modesto as the conducting authority, and direct its city council to initiate annexation proceedings.

I hereby certify that the foregoing is a true and correct copy of a document on file in my office.

GARDNER L. HUTCHINS
Executive Officer, Stanislaus County
Local Agency Formation Commission

EXHIBIT "A"

Local Agency Formation Commission
P.O. Box 3404
Modesto, California 95353

January 23, 1981

Commissioners:

We are herewith submitting for your approval the proposed, "Whitmore No. 3 Annexation to the City of Modesto." We are aware of the fact that the parcels located on Whitmore Avenue (see attached map), should also be annexed. We have, during the last year, tried in every manner posible to convince these property owners they should annex. They have expressed the desire not to be annexed and refuse to communicate further. We feel that given time and the right offer to buy or develop thier property, the owners on Whitmore Avenue will want to annex. But, the need for additional housing in the area is now, not 3 or 4 years from now. The annexation boundary being submitted to you was arrived at after some of the property owners to the north contacted us with the desire to annex thier property. After considerable research we have found that there is a definite need for good housing in this area. Employees of Proctor & Gamble, C.V.C., and General Foods, represent a substantial market by themselves. The housing we intend to build will be an asset to the area and provide much needed housing that is less than one mile from several thousand jobs. There currently is no new housing in the area.

In conclusion, we feel that since this annexation is bounded on the north and west by developed residential uses and on the east by developing uses; is designated urban transition; is supported by 100% of the property owners; is a much needed improvement for the community. This annexation should be approved and the properties developed.

Respectfully,

Ronald J. Malik

EXHIBIT "B"

CITY OF MODESTO
WHITMORE NO. 3 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 7 and the Southwest quarter of Section 8, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the WHITMORE NO. 2 ANNEXATION (430), as per description filed November 20, 1980, as Instrument 32240, Stanislaus County Records;

1. thence along the existing City Limits on the boundary of said ANNEXATION (430), South 00° 10' 00" East, 151.00 feet;

2. thence continuing along the existing City Limits on said boundary, North 89° 20' 00" West, 32.00 feet;

3. thence leaving the existing City Limits, North 89° 20' 00" West 481.23 feet, to the East line of the Southwest quarter of the Southwest quarter of Section 8;

4. thence along said quarter quarter section line, South 00° 10' 40" West, 1174.84 feet, to the South line of Section 8 and the center line of 40 foot Whitmore Avenue;

5. thence along said South line and center line, North 89° 29' 00" West, 1321.63 feet, to the Southwest corner of Section 8;

6. thence along said center line and the South line of Section 7, North 89° 50' 00" West, 14.00 feet;

7. thence along a line 14.00 feet Westerly and parallel with the West line of Section 8, North 00° 13' 00" East, 1329.41 feet, to the Westerly extension of the Southern line of the Rutherford Tract, as per map filed March 19, 1947 in Volume 16 of Maps, Page 37, Stanislaus County Records;

8. thence along said extension and Southern line, South 89° 20' 00" East, 952.40 feet, to the center line of 60 foot Rutherford Street;

9. thence along said center line, North 00° 13' 00" East, 170.00 feet, to the center line of 60 foot Lassen Avenue;

10. thence along said center line, South 89° 20' 00" East, 1024.67 feet, to the center line of 60 foot Guthrie Street;

11. thence along said center line, South 00° 13' 00" West, 170.00 feet, to a point on the existing City Limits and a Northern line of ANNEXATION (430);

12. thence along the existing City Limits and said Northern line, North 89° 20' 00" West, 130.00 feet, to the point of beginning, containing 46.468 Acres, more or less.

EXHIBIT "C"

MODESTO CITY COUNCIL
RESOLUTION NO. 81-775

A RESOLUTION INITIATING PROCEEDINGS FOR THE PROPOSED ANNEXATION OF INHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS SUNNYSIDE NO. 2 ANNEXATION TO THE CITY OF MODESTO, AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by the owners of land or registered voters residing within territory in the County of Stanislaus requesting annexation of the Sunnyside No. 2 Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated August 19, 1981, determined that said territory is inhabited and approved the initiation of proceedings for annexation of said inhabited territory to the City of Modesto pursuant to the Government Code, a copy of which resolution is attached hereto as Exhibit A and made a part hereof by reference, and

WHEREAS, the terms and conditions of the proposed annexation, if any, are set forth in said resolution, and

WHEREAS, the reason or reasons for the proposed annexation in the proposal thereof submitted to the Commission are set forth in page 5 of the application, which page is attached hereto as Exhibit B and made a part hereof by reference, and

WHEREAS, the chief petitioners requesting said annexation as set forth in the application filed with the Commission are:

Name	Address
Gladys E. Hemminger	520 Sunnyside Avenue, Modesto
Robert & Mary Berryhill	440 Sunnyside Avenue, Modesto
Dale F. & Terry Mandelkow	540 Sunnyside Avenue, Modesto

and

WHEREAS, the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situated in the County of Stanislaus, State of California, and has been designated as _____ Sunnyside No. 2 Annexation to the City of Modesto _____, the exterior boundaries of which are set forth in the description attached hereto as Exhibit C and made a part hereof by reference, and

WHEREAS, no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described territory to the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED AND NOTICE IS HEREBY GIVEN that the 22nd day of September, 19 81, at the hour of 7:30 o'clock P.M. in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto be and is hereby fixed as the time and place for considering said annexation, at which time and place any owner of land or registered voter residing within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed.

1. Any such protest must be in writing, must be filed with the City Clerk at any time before the conclusion of the hearing on the proposed annexation, and must give the name and address of the owner of land with the description and area of such property, in general terms, or the name and address of the registered voter.

2. The City Clerk shall cause a copy of this resolution to be published at least twice, but not more often than once a week in The Modesto Bee, a newspaper

of general circulation, published in the City of Modesto and in the County of Stanislaus and being the official newspaper of the City of Modesto. Said publications shall be commenced at least fifteen (15) days prior to the date set for the hearing.

3. The City Clerk of the City of Modesto shall also cause a copy of this resolution to be mailed to:

(a) Any person who has filed his name and address with the City Clerk and has requested such mailed notice;

(b) The chief petitioners, if any, as indicated in the petition initiating proceedings;

(c) To each affected city, county, and district; and

(d) To the executive officer of the Local Agency Formation Commission.

4. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of September, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

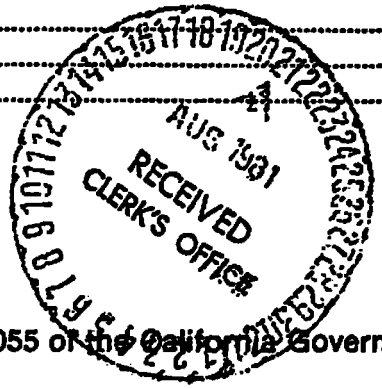
By Ron Campbell
Public Works Department

RESOLUTION

Date: AUGUST 19, 1981 No. 81-41

Subject: SUNNYSIDE NUMBER 2 ANNEXATION TO THE CITY OF MODESTO

On motion of Commissioner Ulm, Seconded by Commissioner Cannella, and approved by the following vote,
Ayes: Commissioners: Ulm, Cannella, Starn and Garcia
Noes: Commissioners: --
Absent: Commissioners: Muratore, Condit and Draper
Disqualified: Commissioners: --
Abstaining: Commissioners: --



THE FOLLOWING RESOLUTION WAS ADOPTED:

WHEREAS, the Commission has conducted a public hearing on the proposed

Sunnyside Number 2 Annexation to the City of Modesto

WHEREAS, notice of the said public hearing was given pursuant to Section 35055 of the California Government Code; and

WHEREAS, the Commission has, in evaluating the proposal, considered the report submitted by the Executive Officer and the factors set forth in Section 54796 of the California Government Code;

NOW, THEREFORE, BE IT RESOLVED that the Commission:

1. Find that: (a) the approval of the proposal would not have a significant effect on the environment; (b) the territory involved in the proposal is inhabited under the provisions of the Municipal Organization Act of 1977; (c) the approval of the proposal would contribute to governmental efficiency and the logical formation of the City of Modesto; and (d) the residents of the annexation area could benefit from the urban services which would be provided upon annexation;

2. Order that a Negative Declaration be issued on the Proposal;

3. Designate the proposal as the Sunnyside Number 2 Annexation to the City of Modesto;

4. Approve the proposal as submitted; and

5. Designate the City of Modesto as the conducting authority, and direct its city council to initiate annexation proceedings.

I hereby certify that the foregoing is a true and correct copy of a document on file in my office.

GARDNER L. HUTCHINS
Executive Officer, Stanislaus County
Local Agency Formation Commission

EXHIBIT "A"

B. Attach a list which gives each address in the territory proposed for annexation.
(See Attachment B)

IX. JUSTIFICATION OF THE PROPOSAL

Please state the reason(s) the proponents have submitted the application, and explain why it should be approved.

The applicants have submitted the proposal in order to get City services and sewer to their properties. The proposal should be approved because it would eliminate a considerable portion of a County island which causes inefficiency in providing governmental services to the area.

EXHIBIT "B"

October 17, 1980
Corrected October 29, 1980

SUNNYSIDE NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the Sunnyside Addition (410), as per description filed July 26, 1979 as Instrument 6061, Stanislaus County Records, said point also being on the intersection of the centerline of 50 foot Scenic Drive and the South extension of the East line of Lot 29 of Sunnyside Acres subdivision recorded May 24, 1911 in Volume 5 of Maps, Page 45, Stanislaus County Records;

1. thence along an Eastern line of said Addition (410), North 00° 15' 00" West, 292.38 feet;

2. thence along a Southeastern boundary of said Addition (410), North 75° 23' 52" East, 136.65 feet, to the centerline of 40 foot Sunnyside Avenue

3. thence along an Eastern boundary of said Addition (410) and on the centerline of 40 foot Sunnyside Avenue North 00° 15' 00" West, 646.04 feet, to a Northeastern corner of said Addition (410);

4. thence along a Northern boundary of said Addition (410) North 89° 40' 00" West, 329.62 feet, to a Northeastern corner of the Coffee-Lucern No. 1Addition (343), as per description filed March 26, 1976, as Instrument 44153, Stanislaus County Records;

5. thence along a Northern boundary of said Addition (343), North 89° 40' 00" West, 284.62 feet, to the Eastern line of 90 foot Coffee Road;

6. thence along an Eastern boundary of said Addition (343) on said Eastern line of Coffee Road, North 00° 15' 00" West, 185.00 feet, to a Southwestern corner of Gould Addition (148), as per description filed February 5, 1963, as Instrument 4468, Stanislaus County Records;

7. thence along the Southern boundary of said Addition (148), and along the Northern line of 40 foot Lucern Avenue, South 89° 40' 00" East, 614.24 feet, to the Eastern line of said Addition (148) and the centerline of 40 foot Sunnyside Avenue;

8. thence along the Eastern line of said Addition (148), and along said centerline, North 00° 15' 00" West, 308.35 feet, to the Southern boundary of the Downey High School and John Muir School Addition (33), as per description filed July 27, 1950, as Instrument 16443, Stanislaus County Records;

9. thence along the Southern boundary of said Addition (33) and the Southern line of a 20 foot alley, South 89° 42' 00" East, 264.98 feet, to the Northwestern corner of the Irons Court Addition (380), as per description filed August 18, 1978, as Instrument 10692, Stanislaus County

EXHIBIT "C"

Records;

10. thence along the Western boundary of said Addition (380), South 00° 17' 30" East, 329.74 feet;

11. thence along the Southern boundary of said Addition (380), South 89° 39' 30" East, 65.91 feet;

12. thence leaving the existing City Limits, South 00° 20' 00" East, 275.00 feet;

13. thence South 89° 40' 00" East, 329.62 feet, to the centerline of 40 foot Brighton Avenue, and a Western boundary of the Strathmore Addition (226), as per description filed February 13, 1969, as Instrument 4972, Stanislaus County Records;

14. thence along a Western line of said Addition (226), and along the centerline of said Brighton Avenue, South 00° 20' 00" East, 566.83 feet, to the centerline of 50 foot Scenic Drive;

15. thence leaving the existing City Limits along said centerline, South 76° 14' 00" West, 74.96 feet;

16. thence continuing along said centerline, South 69° 14' 00" West, 770.31 feet, to the point of beginning containing 17.973 Acres, more or less

MODESTO CITY COUNCIL
RESOLUTION NO. 81-776

A RESOLUTION INITIATING PROCEEDINGS FOR THE PROPOSED ANNEXATION OF INHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS BEVERLY-HARRIS ANNEXATION TO THE CITY OF MODESTO AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by the owners of land or registered voters residing within territory in the County of Stanislaus requesting annexation of the Beverly-Harris Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated August 19, 19 81, determined that said territory is inhabited and approved the initiation of proceedings for annexation of said inhabited territory to the City of Modesto pursuant to the Government Code, a copy of which resolution is attached hereto as Exhibit A and made a part hereof by reference, and

WHEREAS, the terms and conditions of the proposed annexation, if any, are set forth in said resolution, and

WHEREAS, the reason or reasons for the proposed annexation in the proposal thereof submitted to the Commission are set forth in page 5 of the application, which page is attached hereto as Exhibit B and made a part hereof by reference, and

WHEREAS, the chief petitioners requesting said annexation as set forth in the application filed with the Commission are:

Name	Address
Stephen R. Clark	P. O. Box 15217 Garderville, Nevada 89410
Manuel Magallon	1237 Harris Avenue, Modesto, CA
Eugene Abel	1554 Morse Road, Modesto, CA

and

WHEREAS, the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situated in the County of Stanislaus, State of California, and has been designated as Beverly-Harris Annexation to the City of Modesto, the exterior boundaries of which are set forth in the description attached hereto as Exhibit C and made a part hereof by reference, and

WHEREAS, no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described territory to the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED AND NOTICE IS HEREBY GIVEN that the 22nd day of September, 19 81, at the hour of 7:30 o'clock P.M. in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto be and is hereby fixed as the time and place for considering said annexation, at which time and place any owner of land or registered voter residing within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed.

1. Any such protest must be in writing, must be filed with the City Clerk at any time before the conclusion of the hearing on the proposed annexation, and must give the name and address of the owner of land with the description and area of such property, in general terms, or the name and address of the registered voter.

2. The City Clerk shall cause a copy of this resolution to be published at least twice, but not more often than once a week in The Modesto Bee, a newspaper

of general circulation, published in the City of Modesto and in the County of Stanislaus and being the official newspaper of the City of Modesto. Said publications shall be commenced at least fifteen (15) days prior to the date set for the hearing.

3. The City Clerk of the City of Modesto shall also cause a copy of this resolution to be mailed to:

(a) Any person who has filed his name and address with the City Clerk and has requested such mailed notice;

(b) The chief petitioners, if any, as indicated in the petition initiating proceedings;

(c) To each affected city, county, and district; and

(d) To the executive officer of the Local Agency Formation Commission.

4. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of September, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

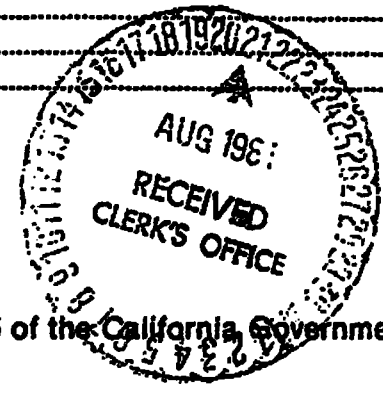
By Ron Campbell
Public Works Department

RESOLUTION

Date: AUGUST 19, 1981 No. 81-42

Subject: BEVERLY-HARRIS ANNEXATION TO THE CITY OF MODESTO

On motion of Commissioner Cannella, Seconded by Commissioner Starn, and approved by the following vote,
Ayes: Commissioners: Cannella, Starn, and Garcia
Noes: Commissioners: --
Absent: Commissioners: Condit, Draper
Disqualified: Commissioners: Muratore
Abstaining: Commissioners: Ulm



THE FOLLOWING RESOLUTION WAS ADOPTED:

WHEREAS, the Commission has conducted a public hearing on the proposed Beverly-Harris Annexation to the City of Modesto.

WHEREAS, notice of the said public hearing was given pursuant to Section 35055 of the California Government Code; and

WHEREAS, the Commission has, in evaluating the proposal, considered the report submitted by the Executive Officer and the factors set forth in Section 54796 of the California Government Code;

NOW, THEREFORE, BE IT RESOLVED that the Commission:

1. Certify that it has considered the Negative Declaration recommended by the County Environmental Review Committee;

2. Find that: (a) the territory involved in the proposal is uninhabited; (b) the proposal is consistent with all applicable local general plans; (c) the territory involved is within an area that is committed to urbanization; and (d) the approval of the proposal would not have a significant effect on the environment;

3. Order that the Negative Declaration be issued;

4. Designate the proposal as the Beverly-Harris Annexation to the City of Modesto;

5. Approve the proposal as submitted; and

6. Designate the City of Modesto as the conducting authority, and direct its city council to initiate annexation proceedings.

I hereby certify that the foregoing is a true and correct copy of a document on file in my office.

GARDNER L. HUTCHINS
Executive Officer, Stanislaus County
Local Agency Formation Commission

By: .....

EXHIBIT "A"

VIII. PROPONENTS' STATEMENT

A. State the reason(s) why the proponent(s) feel the annexation should be approved. (Note: this statement or a synopsis of it, will be included in the written report which is submitted to LAFCO.)

The annexation should be approved so that residents of the area can make use of the city sewer Line which runs down Harris. Six months ago I replaced an entire septic system which had collapsed; and just last week another system needed to be pump. After pumping this septic system, I found that it was half filled with dirt! The entire area is WELL saturated with septic systems. Many people have problems because after 3 & 4 ~~1~~ rehabs of the Leach Lines, property owners have no more room to extend the system. I am also concerned about these wastes getting into the drinking water.

EXHIBIT "B"

BEVERLY-HARRIS ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 31, Township 3 South, Range 9 East, and the Northwest quarter of Section 6, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the most Northerly corner of the PARADISE-WADE ANNEXATION (381) as per description filed August 22, 1978 as Instrument 11378, Stanislaus County Records, said point being on the center line of 50.00 foot Paradise Road and on the North-South quarter section line in said Section 6;

1. thence along the existing City Limits and the center line of Paradise Road on the Northwestern boundary of said Addition (381), South 49° 55' 00" West, 461.54 feet;

2. thence leaving the existing City Limits and the center line of Paradise Road, North 40° 05' 00" West, 262.16 feet;

3. thence South 49° 55' 00" West, 10.00 feet;

4. thence North 40° 05' 00" West, 48.95 feet, to a point on the Southern line of 40.00 foot Beverly Drive;

5. thence along said Southern line of Beverly Drive, South 89° 30' 00" West, 13.07 feet;

6. thence North 00° 13' 00" West, 253.10 feet;

7. thence North 89° 30' 00" East, 148.14 feet, to the center line of 40.00 foot Ritsch Lane;

8. thence along said center line of Ritsch Lane, South 00° 13' 00" East, 69.60 feet;

9. thence North 89° 30' 00" East, 268.14 feet;

10. thence North 00° 13' 00" West, 100.00 feet;

11. thence South 89° 30' 00" West, 60.00 feet;

12. thence North 00° 13' 00" West, 285.99 feet;

13. thence North 89° 30' 00" East, 13.145 feet;

14. thence North 00° 13' 00" West, 150.00 feet;

15. thence South 89° 30' 00" West, 13.145 feet;

16. thence North 00° 13' 00" West, 116.29 feet;

17. thence South 89° 30' 00" West, 8.145 feet;

EXHIBIT "C"

18. thence North 00° 13' 00" West, 117.00 feet, to a point on the section line common to said Sections 6 and 31;

19. thence along said section line common to Sections 6 and 31, South 89° 30' 00" West, 212.92 feet;

20. thence North 00° 28' 45" West, 259.03 feet;

21. thence North 89° 40' 00" East, 121.00 feet;

22. thence South 89° 23' 00" East, 319.43 feet, to the North-South quarter section line in said Section 31, and center line of 60.00 foot Harris Avenue;

23. thence along said North-South quarter section line in Section 31 and said center line of Harris Avenue, South 00° 13' 00" East, 252.46 feet, to the South quarter section corner in Section 31 and the North quarter section corner in said Section 6;

24. thence along the North-South quarter section line in Section 6 and the center line of Harris Avenue, South 00° 13' 00" East, 892.08 feet, to the point of beginning, containing 10.170 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-777

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REGARDING AMENDMENT TO HOUSING ELEMENT OF MODESTO URBAN AREA GENERAL PLAN

BE IT HEREBY RESOLVED by the Council of the City of Modesto that September 15, 1981 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an amendment to the Housing Element of Modesto Urban Area General Plan.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st **day of** September **, 19** 81 **, by Councilmember** Bright **, who moved its adoption, which motion being duly seconded by Councilmember** Siefkin **, was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-778

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ORRICK, HERRINGTON AND SUFCLIFFE TO ACT AS BOND COUNSEL FOR SEWER IMPROVEMENT DISTRICT NO. 24

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Orrick, Herrington and Sutcliffe to act as bond counsel for Sewer Improvement District No. 24

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st **day of** September, **19** 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-779

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

WHEREAS, Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council, did, on July 28, 19 81, adopt its Resolution No. 81-650, ordering the installation of certain improvements along certain streets in the City of Modesto, as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, the Council did by said resolution, set the 8th day of September, 19 81, at 7:30 o'clock P.M., in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work, and

WHEREAS, the Superintendent of Streets has caused notices to be given as directed by said Resolution No. 81-650, and

WHEREAS, at the time set for hearing the protests and objections, if any, to the proposed work, the said Council proceeded to hear the same,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work as set forth in the notices which are attached hereto, and incorporated by reference herein, are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project as to the properties described in the attached notices in accordance with the provisions of Resolution No. 81-650 and Chapter 27, Part 3, of Division 7 of the Streets and Highways Code of the State of California, except that the work on item "m" on the attached list may be delayed nine months.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

a) Sidewalk at 1540 Coffee Road, Lot 2 of Block 1212.
(Baggett & Baggett)

b) Sidewalk at 1428 Coffee Road, a portion of Block 1179.
(Joe Castiglione)

c) Sidewalk at 1534 Coffee Road, Lots 4 & 5 of Block 1212.
(Zula H. Jenkins)

d) Sidewalk at 1437 Rose Avenue, Lot 14 of Block 1171.
(Philip Emery)

e) Sidewalk along Coffee Road at 1304 E. Coolidge Avenue, a portion of Block 1179.
(Vernal P. Thomas)

f) Curb and sidewalk at 224 Drake Avenue, a portion of Block 1193.
(Ira Chambers)

g) Sidewalk at 160 Drake Avenue, a portion of Block 1193.
(Raymond McNally)

h) Sidewalk at 114 Drake Avenue, a portion of Block 1192.
(Leon R. Sharp)

i) Sidewalk at 126 Drake Avenue, a portion of Block 1192.
(Talkington, Hanson, Talkington, Smith)

j) Sidewalk at 140 Drake Avenue, a portion of Block 1192.
(Cora E. Wilson)

k) Sidewalk along Drake Avenue at 1432 McHenry Avenue, a portion of Block 1192.
(Julius M. Ward)

l) Sidewalk along Standiford Avenue at 500 Standiford Avenue, a portion of Block 13017 (Velton D. Rogers)

m) Curb and sidewalk at 424 Standiford Avenue, a portion of Block 13042.
(Wendell L. Young)

n) Curb and sidewalk at 810 Standiford Avenue, a portion of Block 13112.
(L. R. Van Horn, Jr.)

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Julius M. & Willie Mae Ward

ADDRESS 141 E. Orangeburg Avenue, Modesto, CA 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 32 and 33 of Quinn and Fugle Tract as per map filed April 4, 1923 in Volume 9 of Maps, Page 74, Stanislaus County Records excepting the East 11' thereof; also excepting that portion deeded to the State of California be Deed Recorded February 11, 1959, Instrument #4141.

(Stanislaus County Assessor's Parcel No. 002-01 031-0319-420)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

71 linear feet of full width concrete sidewalk along the street frontage abutting Drake Avenue on the North side of Block 1192 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 8th day of September, 19 81 in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 30th day of July, 19 81.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Wendell L. & Anna Cherine Young

ADDRESS 424 Standiford Avenue, Modesto, CA 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Beginning at the Northeast corner of Parcel A as shown on record of survey filed March 4, 1960 in Volume 8 of Surveys, Page 25, Stanislaus County Records; thence South 409.2'; thence East 150.78'; thence North 409.2'; West 150.50' to the point of beginning.

(Stanislaus County Assessor's Parcel No. 002-08 055-2909-271)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

150.50 linear feet of 6" vertical curb and 5' wide concrete sidewalk along the street frontage abutting Standiford Avenue on the North side of Block 13042 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 8th day of September, 1981, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 30th day of July, 1981.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Ms. Zula H. Jenkins

ADDRESS 1534 Coffee Road, Modesto, CA 95355

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 4 and the North half of Lot 5 in Block 1212 of Garden Acres Tract as per map filed November 18, 1940 in Volume 14 of Maps, Page 09, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 032-0104-121)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

95.30 linear feet of 5' wide concrete sidewalk along the street frontage abutting Coffee Road on the West side of Block 1212 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 8th day of September, 1981, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 30th day of July, 1981.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Mr. & Mrs. Joe Castiglione

ADDRESS 1310 E. Coolidge Avenue, Modesto, CA 95355

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West half of Lot 5 in Block 1179 of Garden Acres Tract as per map filed November 18, 1940 in Volume 14 of Maps, Page 09, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-42 032-0125-101)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

59.91 linear feet of 5' wide concrete sidewalk along the street frontage abutting Coffee Road on the West side of Block 1179 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30p.m. on the 8th day of September, 1981, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 30th day of July, 1981.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME L.R. & Lena B. Van Horn Jr.

ADDRESS P.O. Box 962, Modesto, CA 95353

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Standiford Colony as per map filed December 11, 1912 in Volume 7 of Maps, Page 17, Stanislaus County Records; excepting the North 10'; also excepting all that portion deeded to the City of Modesto by deed recorded October 9, 1979, Instrument #23883.

(Stanislaus County Assessor's Parcel No. 002-08 055-1246-171)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

292.15 linear feet of 6" vertical curb and 5' wide concrete sidewalk along the street frontage abutting Standiford Avenue on the North side of Block 13112 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30p.m. on the 8th day of September, 1981 in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 30th day of July, 1981.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Velton D. & Cor-rita Rogers

ADDRESS 500 Standiford Avenue, Modesto, CA 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcel A as shown on that certain record of survey filed March 4, 1960 in Volume 8 of Surveys, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 055-2908-121)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

150.06 linear feet of 5' wide concrete sidewalk along the street frontage abutting Standiford Avenue on the North side of Block 13017 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 8th day of September, 1981, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 30th day of July, 1981.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Cora E. Wilson

ADDRESS 917 Hawthorne Avenue, Modesto, CA 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 40' of Lot 26 of Quinn & Fugle Tract as per map filed April 12, 1923 in Volume 9 of Maps, Page 74, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 031-0325-101)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

40 lienar feet of 4' wide concrete sidewalk along the street frontage abutting Drake Avenue on the North side of Block 1192 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 8th day of September, 1981, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 30th day of July, 1981.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN: Fred B. Talkington, Jr., et al; Gerald & Barbara Hanson;
NAME Fred B. & Ella M. Talkington; Don L. & Eileen Smith

ADDRESS 301 McHenry Avenue, Modesto, CA 95354

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 20' of Lot 26, all of Lots 27, 28 and the East 40' of Lot 29 of Quinn & Fugle Tract as per map filed April 12, 1923 in Volume 9 of Maps, Page 74, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 031-0335-520)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

57 linear feet of 4' wide concrete sidewalk along the street frontage abutting Drake Avenue on the North side of Block 1192 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 8th day of September, 1981, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 30th day of July, 1981.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Leon R. & Mary E. Sharp

ADDRESS 2013 Vista Drive, Modesto, CA 95355

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 20' of Lot 29, all of Lots 30, 31 and the East 11' of Lots 32 & 33 of the Quinn & Fugle Tract as per map filed April 12, 1923 in Volume 9 of Maps, Page 74, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 031-0331-590)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

151 linear feet of 4' wide concrete sidewalk along the street frontage abutting Drake Avenue on the North side of Block 1192 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 8th day of September, 1981 in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 30th day of July, 1981.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Raymond & Mildred McNally

ADDRESS 160 Drake Avenue, Modesto, CA 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 44' of Lot 4 and the East 11' of Lot 5 in Block 1193 of the Baker Tract as per map field April 2, 1946 in Volume 14 of Maps, Page 45, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 031-0347-101)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

55 linear feet of 4' wide concrete sidewalk along the street frontage abutting Drake Avenue on the North side of Block 1193 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 8th day of September, 1981 in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 30th day of July, 1981.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Ira & Reeda Chambers

ADDRESS 5818 Roselle Avenue, Riverbank, CA 95367

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 57.5' of the East 140.5' of the South 90' of the North 330' of Lot 10 of Coolidge Colony as per map filed November 15, 1910 in Volume 5 of Maps, Page 17, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 031-0354-101)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

57.5 linear feet of 4 1/2" drive over curb and 4' wide concrete sidewalk along the street frontage abutting Drake Avenue on the North side of Block 1193 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 8th day of September, 1981 in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 30th day of July, 1981.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Vernal P. & Alice Thomas

ADDRESS 2305 Coffee Road, Suite A, Modesto, CA 95355

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West half of Lot 1 in Block 1179 of Garden Acres Tract as per map filed November 18, 1940 in Volume 14 of Maps, Page 9, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-42 032-0128-101)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

59.66 linear feet of 5' wide concrete sidewalk along the street frontage abutting Coffee Road on the West side of Block 1179 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 8th day of September, 1981, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 30th day of July, 1981.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Philip & Frances H. Emery

ADDRESS 1495 Marlbarough Avenue, Los Altos, CA 94022

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 14 in Block 1171 of Green Acres No. 2 as per map filed October 25, 1955 in Volume 18 of Maps, Page 38, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-42 032-0714-101)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

66.98 linear feet of 4' wide concrete sidewalk along the street frontage abutting Rose Avenue on the East side of Block 705 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 8th day of September, 1981, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 30th day of July, 1981.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Mr. & Mrs. John W. Baggett, Sr., Mr. & Mrs. John W. Baggett, Jr.

ADDRESS 1540 Coffee Road, Modesto, CA 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 2 in Block 1212 of Garden Acres Tract as per map filed November 18, 1940 in Volume 14 of Maps, Page 09, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 032-0102-101)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

63.55 linear feet of 5' wide sidewalk along the street frontage abutting Coffee Road on the West side of Block 1212 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 8th day of September, 1981 in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 30th day of July, 1981.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 81-780

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (317).

WHEREAS, a verified application for an amendment to Section 20-3-9 of the Zoning Map was filed by National Medical Hospital of Modesto, Inc. dba Doctor's Medical Center on June 1, 1981, to reclassify from Professional Office Zone, P-O, and Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in a portion of the Northeast quarter of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

R-2 to P-D
A portion of lots 2 and 3 of Mensinger Colony as per map filed May 18, 1909 in Volume 4 of Maps at page 25, Stanislaus County Records, described as follows:

Beginning at the point of intersection of the centerline of Sherwood Avenue with the centerline of Granger Avenue; thence southerly along the centerline of Sherwood Avenue 500.55 feet; thence easterly 659.49 feet to a point on the centerline of Florida Avenue located 499.56 feet south of the point of intersection of the centerline of Granger Avenue with the centerline of Florida Avenue; thence northerly along the centerline of Florida Avenue 499.56 feet to the point of intersection with the centerline of Granger Avenue; thence westerly along the centerline of Granger Avenue 659.38 feet to the point of beginning.

P-O to P-D
Lots 2, 3, 6, and 7 of Mensinger Colony as per map filed May 18, 1909 in Volume 4 of Maps at page 25, Stanislaus County Records.

Excepting therefrom the following described northern portion of said lots 2 and 3, described as follows:

Beginning at the point of intersection of the centerline of Sherwood Avenue with the centerline of Granger Avenue; thence southerly along the centerline of Sherwood Avenue 500.55 feet; thence easterly 659.49 feet to a point on the centerline of Florida Avenue located 499.56 feet south of the point of intersection of the centerline of Granger Avenue with the centerline of Florida Avenue; thence northerly along the centerline of Florida Avenue 499.56 feet to the point of intersection with the centerline of Granger Avenue; thence westerly along the centerline of Granger Avenue 659.38 feet to the point of beginning.

WHEREAS, after public hearing held on August 17, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. Doctors Medical Center is an existing hospital which desires to expand its facilities and services.

2. The P-D zone and conditions of approval, such as new access points and new and upgraded screening from residential areas, help insure a degree of compatibility consonant with surrounding properties.

WHEREAS, after a public hearing held on September 8, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of National Medical Hospital of Modesto, Inc. dba Doctor's Medical Center for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2080-C.S. on the 8th day of September, 1981, reclassifying the above-described property from Professional Office Zone, P-O, and Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D (317).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(317) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plans titled "Doctors Medical Center of Modesto" as amended in red, stamped approved by the City Council on September 8, 1981.

2. The applicant shall submit revised plot plans showing all changes required by the Planning Commission and/or City Council prior to the issuance of a building permit. All development shall conform to these revised plans as amended in red, stamped approved by the City Council on September 8, 1981.

3. Prior to the issuance of an occupancy permit for any building expansion in the Interim Master Plan (Phase 1), a landscaping and irrigation plan for said phase shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code. The landscaping and irrigation for the Interim Master Plan (Phase 1) shall be installed by no later than November 1, 1982.

4. Fencing shall be constructed as shown on the approved plan. Interim Master Plan (Phase 1) peripheral solid decorative masonry fencing shall be installed by no later than November 1, 1982.

5. Prior to issuance of an occupancy permit for any expansion in the Interim Master Plan (Phase 1), the developer shall submit a specific signing program for the hospital to the Planning Commission for public hearing.

6. Prior to issuance of a building permit for any expansion in the Interim Master Plan (Phase 1), the developer shall dedicate public utility easements as required by the utility companies and the Director of Public Works.

7. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

8. Drainage shall be provided as required by the Director of Public Works.

9. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

10. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

11. Operating procedures shall be instituted which insure that the approach and departure corridors for the heliport approved by the California Division of Aeronautics and the Modesto City Council are utilized for all landings and take-offs, including the following:

    (a) Prepare and circulate to all potential air ambulance operators an information sheet describing the helipad, approach/departure corridors, and operating procedures.

    (b) Mark the roof of the hospital building in large letters visible from the air "DOCTORS HOSPITAL" or "DOCTORS MEDICAL CENTER".

    (c) Install and maintain an appropriate air to ground radio communication system.

12. Use of the helipad shall be restricted to daylight hours only until such time as lighting approved by the California Division of Aeronautics has been installed.

13. No helicopter shall be based at the helipad.

14. Use of the helipad shall be restricted to emergency medical air ambulance service.

15. Approach and departure surfaces designated for the helipad shall not interfere with, limit or restrict the development or use of any public or private properties over which said approach and departure surfaces pass.

16. If, on request of Doctors' Medical Center to accommodate the helipad, the Director of Parks and Recreation determines that any street tree should be pruned, Doctors' Medical Center shall pay for all of the costs involved in pruning said street trees.

17. By July 10th of each year Doctors' Medical Center shall submit to the City Clerk a log of all flight operations utilizing the helipad during the preceding twelve months ending on June 30th of each year. Said log shall include for each operation the following information: date and time of operation, nature of injury, disease or other medical emergency involved, off-site origin or destination of operation, type and size of aircraft utilized, and whether the approved approach and departure corridors were used and if not, a full explanation why the approved corridors were not used.

18. Any City official or any person affected by the use of the helipad, if they believe that a log submitted pursuant to Condition No. 17 above shows that Doctors' Medical Center has failed to comply with any of the conditions set forth herein, may request the Planning Commission to review the Planned Development Zone granted hereby in accordance with the provisions of Article 27 of Chapter 2 of Title X of the Modesto Municipal Code (Section 10-2.2701 et seq.).

19. Except as incorporated into this approved plan and conditions, all conditions of previous resolutions regarding Doctors' Medical Center shall become null and void.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (317):

The construction program is to be accomplished in two phases as follows:

Interim Master Plan (Phase 1) - construction to begin on or before November 1, 1982 and be completed by November 1, 1988.

Master Plan (Phase 2) - construction to begin on or before November 1, 1985 and be completed by November 1, 1988.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (317) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Bonds
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-781

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 20-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (DOCTORS MEDICAL CENTER)

WHEREAS, on September 8, 1981, the City Council introduced Ordinance No. 2080-C.S. giving approval to a project relating to an amendment to Section Map 20-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Professional Office Zone, P-O, and Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(317), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 20-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Professional Office Zone, P-O, and Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(317).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-782

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION 13-3-8 OF THE ZONING MAP TO REZONE FROM R-1 TO R-2 PROPERTY LOCATED AT THE SOUTHEAST CORNER OF RUMBLE ROAD AND CONANT AVENUE (BRIGHT DEVELOPMENT CO.)

WHEREAS, on September 8, 1981, the City Council introduced Ordinance No. 2081-C.S. giving approval to a project relating to an amendment to Section 13-3-8 of the Zoning Map to rezone from R-1 to R-2 property located at the southeast corner of Rumble Road and Conant Avenue, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section 13-3-8 of the Zoning Map to rezone from R-1 to R-2 property located at the southeast corner of Rumble Road and Conant Avenue.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-783

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 80-272 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(258)." (FIRST BAPTIST CHURCH)

WHEREAS, the City Council, by Ordinance No. 1930-C.S. which was introduced on March 25, 1980, finally adopted on April 8, 1981, and which became effective on May 8, 1980, amended Section Map 29-3-9 of the Zoning Map to reclassify from Neighborhood Commercial Zone, C-1, and General Commercial Zone, C-2, to Planned Development Zone, P-D(258), property located south of Needham Avenue between 10th and 13th Streets in the City of Modesto, to allow a four phase expansion of existing church facilities, and

WHEREAS, City Council Resolution No. 80-272 which was adopted on March 25, 1981, approved a development plan for P-D(258) and contained the conditions of approval thereof, and

WHEREAS, a verified application for an amendment to Planned Development Zone, P-D(258) was filed by First Baptist Church of Modesto on June 15, 1981 to allow the addition of a radio broadcasting tower atop the church and auditorium at the southeast corner of 12th Street and Needham Avenue in the City of Modesto, and

WHEREAS, said application was originally set for a public hearing before the Planning Commission on August 3, 1981 but due to the applicant's change of location of the radio tower atop a relocatable building on the easterly side of 11th Street south of Needham Avenue, the public hearing was reset, notification was made, and the hearing was thereafter held by the Planning Commission on August 17, 1981 in the Council Chambers, City Hall, 801 11th Street, Modesto, California, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 81-205, found and determined that an amendment to P-D(258) to allow the addition of a radio broadcasting tower atop a relocatable building on the easterly side of 11th Street south of Needham Avenue

is required by public necessity, convenience, and general welfare for the following reasons:

1. Several other similar but higher antennas have been approved in the nearby downtown area without deleterious effects.

2. The proposed tower is of such a low power that it will not interfere with neighborhood radio and TV reception.

and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the City Council Chambers in the City Hall, 801 11th Street, Modesto, California, on September 8, 1981, and

WHEREAS, the City Council certifies it has reviewed and considered the findings of the Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed amendment to Planned Development Zone, P-D(258), and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to allow the addition of a radio broadcasting tower atop a relocatable building on the easterly side of 11th Street south of Needham Avenue is required by public necessity, convenience, and general welfare for the reasons set forth in Planning Commission Resolution No. 81-205 and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that paragraphs 1 and 8 of Section 1 of Modesto City Council Resolution No. 80-272 entitled "A Resolution Approving a Development Plan for Planned-Development Zone, P-D(258)" are hereby amended to read as follows:

1. All development shall conform to the plot plan titled "Master Plan, First Baptist Church" as amended in red, stamped approved by the Planning Commission on November 17, 1980, and "Proposed Tower, First Baptist Church" stamped approved by the Planning Commission on August 17, 1981.

8. All utilities and TV facilities shall be underground and no antennas shall be permitted except for one radio tower and antenna as shown on the approved plot plan. Said radio tower and antenna shall not exceed 105 feet above grade.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to file with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-784

A RESOLUTION ACCEPTING THE BID OF BILL MINENI CONSTRUCTION FOR THE CONSTRUCTION OF PICNIC AREA AT REVARD PARK

WHEREAS, Resolution No.81-723, adopted by the Council of the City of Modesto on August 18, 1981 , approved the plans and specifications for the construction of picnic area at Revard Park and authorized the calling for bids; and

WHEREAS, the bids received for the construction of picnic area at Revard Park were opened at 11:00 a.m. on September 1, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Bill Mineni Construction in the amount of $7,838 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Bill Mineni Construction in the amount of $7,838 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-785

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SANITARY SEWER RECONSTRUCTION ON DUNCAN AVENUE, CHABOT AVENUE, AND MUIR ROAD AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** sanitary sewer reconstruction on Duncan Avenue, Chabot Avenue, and Muir Road **has been completed by** Mac's Backhoe Service

in accordance with the contract agreement dated May 12, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of sanitary sewer reconstruction on Duncan Avenue, Chabot Avenue, and Muir Road **be accepted from said contractor,** Mac's Backhoe Service;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $58,477.50 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th **day of** September, **19**81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-786

A RESOLUTION ACCEPTING THE CONSTRUCTION OF RESURFACING OF CITY STREETS - SPRING 1981 AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** resurfacing of City streets - Spring, 1981 **has been completed by** George Reed, Inc.

in accordance with the contract agreement dated June 23, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of resurfacing of City streets - Spring 1981 **be accepted from said contractor,** George Reed, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $109,015.98 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th **day of** September, **19**81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-787

A RESOLUTION ACCEPTING THE CONSTRUCTION OF HEATER REMIX AND SLURRY SEAL - SPRING 1981

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** heater remix and slurry seal - Spring 1981 **has been completed by** Graham Contractors, Inc.

in accordance with the contract agreement dated May 5, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of heater remix and slurry seal - Spring 1981 **be accepted from said contractor,** Graham Contractors, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $64,520.70 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th **day of** September, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-788

A RESOLUTION ACCEPTING THE CONSTRUCTION OF PUMP STATION NO. 44 AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of Pump Station No. 44

has been completed by G.H.F. Contracting Engineers

in accordance with the contract agreement dated October 7, 1980.

NOW, THEREFORE, BE IT RESOLVED that the construction of Pump Station No. 44 be accepted from said contractor, G.H.F. Contracting Engineers;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $115,636 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO.81-789

A RESOLUTION REJECTING ALL BIDS FOR FURNISHING ONE TRAFFIC SIGNAL CONTROLLER AND OPENED IN THE OFFICE OF THE CITY CLERK ON AUGUST 18, 1981, AT 2:00 P.M., AND AUTHORIZING NEW CALL FOR BIDS

WHEREAS, Resolution No. 81-638, adopted by the Council of the City of Modesto on July 28, 1981, approved the plans and specifications for furnishing one traffic signal controller, and authorized the call for bids; and

WHEREAS, the bids received for the furnishing of one traffic signal controller were opened at 2:00 p.m. on August 18, 1981, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, from the several manufacturers and distributors contacted, only two bids were received, of which the low bid was 54% higher than the City's estimate; and

WHEREAS, staff recommends that the specifications be revised and the project rebid in order to reduce prices, and a replacement controller for 9th and Woodland/Coldwell which is budgeted in the 1981/82 Capital Improvement Projects, be bid, also in an attempt to reduce prices.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that all bids received for the furnishing of one traffic signal controller and opened in the office of the City Clerk on August 18, 1981, are hereby rejected.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that new call for bids for furnishing two traffic signal controllers to be opened September 29, 1981, at 2:00 p.m. is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-790

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF SEVEN HAND-HELD RADAR UNITS FROM M.P.H. INDUSTRIES, INC.

WHEREAS, the Police Department is requesting the purchase of seven hand-held radar units which will be used for traffic enforcement and survey; and

WHEREAS, M.P.H. Industries, Inc., located in Kansas, manufactures a radar unit with a broad band spectrum which allows officers to monotor two traffic lanes as opposed to one, and is the sole source of this unit.

NOW. THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of seven hand-held radar units is hereby waived.

BE IT FURTHER RESOLVED that purchase of seven hand-held radar units from M.P.H. Industries, Inc. for the total purchase price of $6,188.28 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-791

A RESOLUTION APPROVING A CONDOMINIUM CONVERSION TENANT DISPLACEMENT POLICY FOR THE CITY OF MODESTO.

WHEREAS, the adopted Modesto Urban Area Housing Element for the City of Modesto contains an implementation strategy to develop a plan to mitigate the inconveniences occurring when tenants are displaced by condominium conversions, and

WHEREAS, the City Council desires to fulfill that implementation strategy by approving a condominium conversion tenant displacement policy for the City of Modesto, and

WHEREAS, the Planning Commission on June 15, 1981 recommended a condominium conversion tenant displacement policy, and

WHEREAS, the City Council has considered said policy, as recommended by the Planning Commission, and has made certain changes therein that the Council deems necessary and appropriate,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby adopts the policy set forth on the attached document entitled "Condominium Conversion Tenant Displacement Policy".

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the

resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN E. JOHNSON, City Attorney

CONDOMINIUM CONVERSION TENANT DISPLACEMENT POLICY

Recommended by Planning Commission: June 15, 1981
Adopted by City Council: September 8, 1981

Background:

The Modesto Urban Area Housing Element adopted in January, 1981 contains an implementation measure directing staff to develop a plan to mitigate the inconveniences occurring when renters are displaced by condominium conversions. This policy addresses the implementation of that measure within the City.

Summary:

This policy adds to the tenant provisions in the Subdivision Map Act to include tenant protection, tenant purchase priority, and tenant relocation benefits due to conversion of their unit to a condominium. This policy does not discuss building and site requirements of condominium conversion, nor are the actual number of units converted each year limited by this policy. All potential condominium conversions will have to conform to this policy as a condition of approval of the tentative map and rezoning to P-D. Furthermore, upon consideration of time extensions for P-D zones relating to condo conversions these provisions shall be applied.

Compliance:

Prior to City Council approval of a final subdivision map the subdivider shall submit information which is sufficient to allow determination of eventual compliance with the tenant displacement policy. Said information shall include the following:

a. A list of tenants who are entitled to relocation benefits.

b. A list of elderly and/or disabled tenants who are entitled to two year tenancy.

c. A plan for providing active relocation assistance to all tenants.

d. A statement of benefits which have been offered to tenants.

e. Affidavit of service of all notices required to be given by the Subdivision Map Act.

Definitions:

A. condominium conversion - conversion of a single ownership parcel of existing improved real property, such as an apartment complex, into a condominium form of ownership.

B. developer - owner or subdivider of real property with a controlling proprietary interest in the proposed project.

C. disabled - a person who, at the time of the filing of the final subdivision map, is suffering from an orthopedic or physical disability which impairs

personal mobility to such an extent that the person requires special care or facilities in their home.

D. elderly - a person who, at the time of the filing of the final subdivision map, is at least 62 years of age and under a rental agreement or other agreement with the property owner or his or her agent to occupy a dwelling unit.

E. tenant - person or persons entitled under a lease rental agreement or other agreement with the property owner or his or her agent to occupy a dwelling unit. For purposes of this definition "tenant" shall mean "subtenant" where the subtenant occupies and resides in the unit in agreement with and to the exclusion of the tenant and with the consent of the owner.

F. tenant in good standing - tenant who owes no rent.

Policy:

All actions pursuant to the conversion of rental residential units into units for individual sale shall include the following provisions:

A. Tenant Protection

1. *In accordance with the Subdivision Map Act, all tenants must be given a notice of intent to convert at least 60 days prior to filing the tentative map.

   In addition, the City of Modesto requires the developer to demonstrate to the City that accumulative rent increases within the preceding 12 months in those rental units to be converted to condominium units have not exceeded the annual increase in the Class C Western City Consumer Price Index.

2. *In accordance with the Subdivision Map Act, any person who rents a unit within 60 days prior to filing the tentative map or after the filing of the tentative map for condominium conversion shall be informed in writing at the outset of his/her tenancy of the proposed condominium conversion.

   In addition, the City of Modesto requires the developer to explain in writing the tenants' options and protections as outlined in this policy as well as any additional incentives the owner may want to add.

3. Only at the developer's discretion can a tenant, who rents after issuance of the sixty-day notice to file a tentative map, be eligible for tenant protections, purchase priority, and relocation benefits provided by this policy that exceed State law.

4. Elderly tenants may, at the time their units are offered for sale, enter into a two year rental agreement with the owner and not be subject to rent increases which exceed the annual increases in the Class C Western City Consumer Price Index. Upon tenant's death, a second person living with tenant who is 62 years or older shall be allowed to continue tenancy until the expiration of the two year rental agreement. At their option, elderly tenants can give a 30 day notice to vacate.

*Provision required by State Law as of January 1, 1981.

5. Disabled tenants may, at the time their units are offered for sale, enter into a two year rental agreement with the owner and not be subject to rent increases which exceed the annual increases in the Class C Western City Consumer Price Index. At their option, disabled tenants can give a 30 day notice to vacate.

   The provision does not apply to disabled tenants who are dependents of another nondisabled tenant with whom they are living unless the disabled tenant is the spouse of the nondisabled tenant.

B. Tenant Purchase Priority

1. *Tenants of proposed condominium conversion shall be given notice of an exclusive right to purchase of the unit now occupied by themselves on terms as favorable or more favorable to the tenant as those offered to the public in general. Favorable terms can include but are but limited to: discounts off the purchase price for every month tenant has rented unit; a discount per bedroom unit; discounts if no improvements are made to the unit; and decorating allowances.

2. *In accordance with the Subdivision Map Act, the exclusive right to purchase the unit by the residing tenant shall run for a period of not less than 90 days from the date of issuance of the Public Report unless waived by the tenant.

C. Tenant Relocation

1. *As required by the Subdivision Map Act, tenants must be given not less than 180 days notice of intention to convert prior to termination of tenancy.

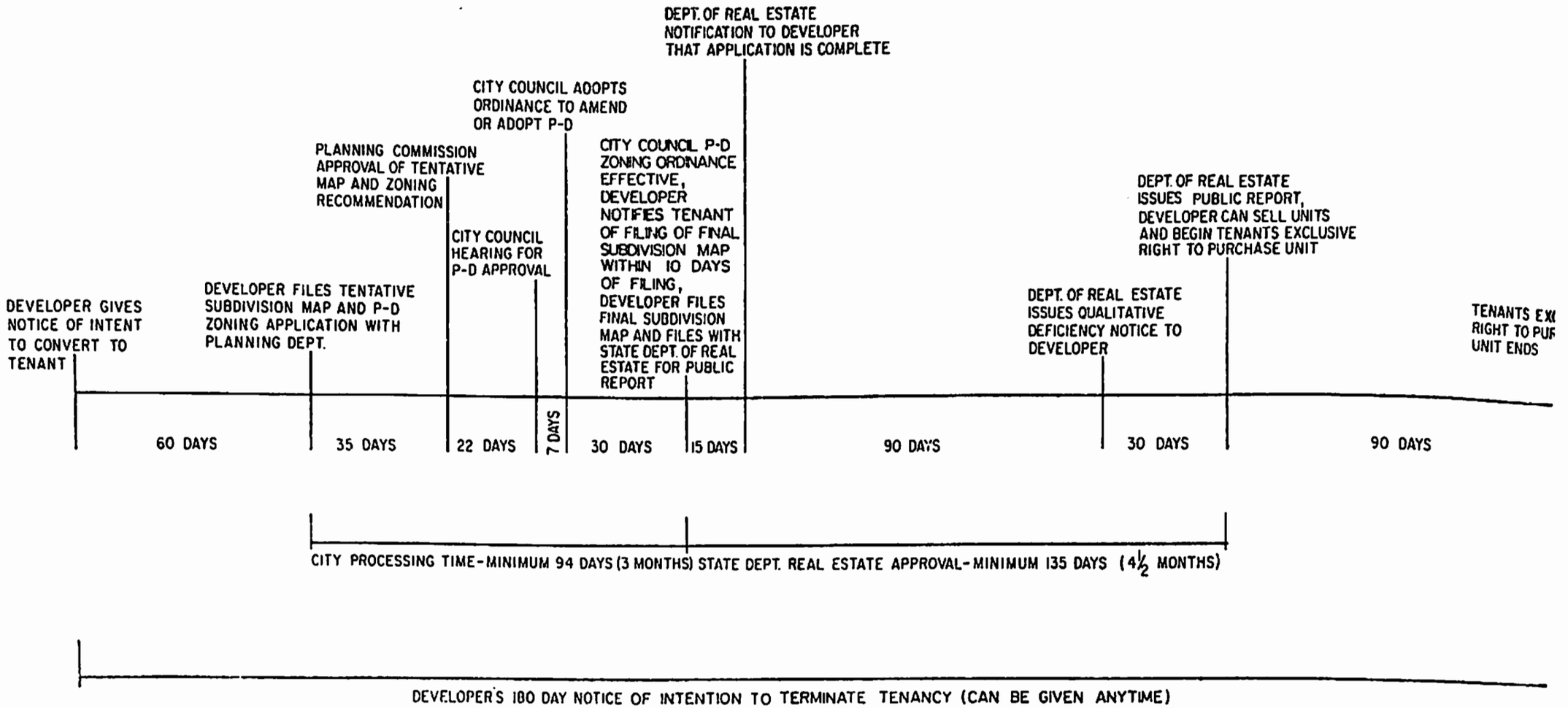
2. All tenants who are tenants in good standing at the time of the 60 day notice to file a tentative subdivision map for condominium conversion and are still renting at the time of the filing of the final subdivision map, shall be eligible to receive reimbursement by the developer for moving costs equal to the one month's rent. Reimbursement fee equal to one month's rent shall be paid once per unit, not per tenant per unit. Tenant shall give convertor at least 30 days notice to vacate and converter shall pay moving costs within 30 days after tenant's notification.

3. The developer shall offer active assistance in finding alternative housing for tenants in good standing who vacate their units after the filing of the final subdivision map. Active assistance can include providing tenants with lists of comparable available rental units, offering tenants extra time to locate alternative housing, and/or providing transportation to assist tenants in finding housing.

*Provisions required by State Law as of January 1, 1981.

TIME LINE FOR CONDOMINIUM CONVERSION PROCESSING

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
SEPTEMBER 1981



MODESTO CITY COUNCIL
RESOLUTION NO. 81-792

A RESOLUTION OPPOSING CLOSURE OF MODESTO CITY-COUNTY AIRPORT'S AIR TRAFFIC CONTROL TOWER

WYEREAS, Modesto is the only air carrier airport recommended as a candidate for permanent closure of their air traffic control tower in the Western Region, by the Federal Aviation Administration (FAA); and

WHEREAS, this would have serious impact on both airline and corporate operations at the Modesto Airport and could curtail completely airline operations during the forthcoming fog season as a result of the following:

A) Without an operating air traffic control tower there is no official weather data available for landing information. Visibility, altimeter settings and cloud height conditions are critical during instrument flight operations.

B) Without weather data the landing minimums increase for both ceiling and visibility which negates the full use of the instrument landing system (ILS) at the airport.

C) Instrument clearances would be extremely difficult to obtain by pilots other than by telephone which would delay both takeoff and landing clearances to a point where pilots would be reluctant to use the airport.

D) The operation of the runway and approach lighting systems to effect early recognition of the airport during low visibility approaches would be lost completely.

E) Rapid crash fire rescue notification would not be possible because no one would be in direct radio contact with aircraft arriving or departing the airport under instrument conditions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto, that closure of the Modesto air traffic control by the Federal Aviation Administration (FAA) is hereby opposed.

The foregoing resolution was introduced at a regular meeting of the Council

of the City of Modesto held on the 8th day of September, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle

NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-793

A RESOLUTION ACCEPTING IMPROVEMENTS IN LAMATIS INDUSTRIAL CENTER SUBD. AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, James & Mary Lamatis, Angelo R. & Leonora F./ Pierini, Gus G. & Helen M. Simvoulakis, subdividers of Lamatis Industrial Center Subdivision, have filed Instruments of Credit for faithful performance and labor and materials in the amount of $ 887,200.00 and $ 443,600.00 respectively to guarantee improvements in Lamatis Industrial Center ; and

WHEREAS, the Director of Public Works in a memorandum dated September 1, 1981, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Instruments of Credit upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Lamatis Industrial Center Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit for faithful performance in the amount of $ 887,200.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Instrument of Credit for labor and materials in the amount of $ 443,600.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1981 by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-794

A RESOLUTION OF INTENTION TO VACATE AND ABANDON A PORTION OF THE 20-FOOT PUBLIC ALLEY IN BLOCK 2196 WHICH EXTENDS NORTH FROM YOSEMITE BOULEVARD BETWEEN SAN JUAN DRIVE AND PHOENIX AVENUE. (GREAT VALLEY BANK)

WHEREAS, the City Council has received a request from Great Valley Bank, the adjacent property owner, to vacate and abandon the southerly 103 feet of the 20-foot public alley in Block 2196 which extends north from Yosemite Boulevard between San Juan Drive and Phoenix Avenue, and

WHEREAS, a title report was submitted with the abandonment request which vests fee title to the alley right-of-way in Great Valley Bank, the proponent of the abandonment, and

WHEREAS, at its meeting on July 7, 1981, the City Council referred said alley abandonment request to the Planning Commission for a report and recommendation, and

WHEREAS, the proposed alley abandonment request has been referred to all affected City departments and local utility companies, and no objection to the abandonment has been received, and

WHEREAS, the Planning Commission, by Resolution No. 81-204, adopted on August 17, 1981, found and determined as follows:

1. That abandonment of the alley right-of-way will allow adjacent commercial properties to be combined for more efficient use of the land.

2. That dedication and improvement of a new 30-foot alley by the applicant along the northerly line of the applicant's property between the existing alley and San Juan Drive will replace the alley access lost by the abandonment.

3. That retention of a 20-foot public utility easement over the abandoned alley right-of-way is necessary to serve existing utility lines.

4. That the alley right-of-way proposed to be abandoned is not necessary to serve present or future traffic needs in the area.

and

WHEREAS, the Planning Commission, by said Resolution No. 81-204, adopted on August 17, 1981, recommended to the Council that the southerly 103 feet of the 20-foot public alley in Block 2196 which extends north from Yosemite Boulevard between San Juan Drive and Phoenix Avenue in the City of Modesto, be vacated and abandoned, subject to the following conditions:

1. That Great Valley Bank shall improve to City Standards, and dedicate to the City a new alley to extend from the existing alley west to San Juan Drive along the north line of Lot 1 in Block 2196. Said new alley shall be 30 feet in width and shall be improved to City commercial alley standards as required by the Director of Public Works pursuant to improvement plans which shall be prepared by a registered civil engineer. The new alley shall be constructed and dedicated to the City prior to vacation and abandonment of the existing alley by the City.

2. That prior to final abandonment action by the City Council, Great Valley Bank shall enter into an agreement with the City to provide as follows:

   a. That appropriate barriers, as required by the Director of Public Works, shall be constructed across the abandoned alley right-of-way to block through traffic from using the abandoned alley right-of-way.

   b. That Great Valley Bank shall remove the existing alley approach at the Yosemite Boulevard alley opening and shall construct curb, gutter, and sidewalk across the alley opening in accordance with City Standards. Said improvements shall be completed not later than 90 days following final abandonment action by the City Council.

3. That prior to vacation and abandonment of the existing alley by the City, Great Valley Bank shall post a security in the amount to be determined by the Director of Public Works, to guarantee removal of the existing alley approach and construction of required curb, gutter, and sidewalk by not later than 90 days following final abandonment action by the City Council.

4. That the entire 20-foot alley width shall be retained as a public utility easement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The Council of the City of Modesto hereby declares its intention to vacate and abandon the southerly 103 feet of the 20-foot public alley in Block 2196 which extends north from Yosemite Boulevard between San Juan Drive and Phoenix Avenue, in the City of Modesto, as shown on the drawing entitled "Vacate and Abandon a Portion of the 20 Ft. Alley in Block 2196 LD 81-H" dated August 31, 1981, on file in the office of the City Clerk, and as described on Exhibit "A" attached hereto, and by this reference made a part hereof as though set forth in full herein, subject to the conditions hereinabove set forth.

SECTION 2. The Council of the City of Modesto hereby elects to proceed with the proposed vacation and abandonment referred to above, pursuant to the provisions of Division 9, Part 3, Chapter 3, of the Streets & Highways Code of the State of California.

SECTION 3. Notice is hereby given that Tuesday, October 6, 1981, at the hour of 4:00 o'clock p.m. in the Council Chambers, 801 11th Street, Modesto, California, is hereby fixed as the time and place for hearing all persons interested in or objecting to the proposed vacation and abandonment.

SECTION 4. The City Clerk is hereby directed to cause to be published in full in The Modesto Bee, the official newspaper of the City of Modesto, the date, place, and hour of said hearing once each week for two (2) successive weeks before the date set for said hearing.

SECTION 5. The Director of Public Works is hereby directed to cause notices of the proposed alley vacation and abandonment to be posted conspicuously along the line of the alley proposed to be vacated and abandoned at least fourteen (14) days before the date set for the hearing. At least three (3) such notices shall be posted. Such notices shall state the passage of this Resolution of Intention the time and place for hearing, and shall describe the alley right-of-way proposed to be abandoned.

The foregoing resolution was introduced at a regulr meeting of the Council of the City of Modesto held on the 8th day of September, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Murratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Public Works Department

LD 81-H
Parcel 2196-3

VACATE AND ABANDON A PORTION OF THE 20 FOOT ALLEY IN BLOCK 2196

All that real property in the State of California, County of Stanislaus, City of Modesto, being a portion of the Southeast quarter of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Southwestern corner of Lot 17 in Block 2196 of the ALTA VISTA TRACT, as per map filed September 12, 1946, in Volume 14 of Maps, Page 75, Stanislaus County Records; thence along the Northern line of 83.00 foot Yosemite Boulevard, said line being 50.00 feet, measured at right angles, Northerly from the section line common to Sections 27 and 34, above Township and Range, North 89° 50' West, 20.00 feet; thence along the Western line of the 20.00 foot alley in Block 2196, North 00" 34' 40" West, 103.00 feet, to a point on a line which is parallel with and 30.00 feet, measured at right angles, Southerly from the Northern line of Lot 1 in Block 2196 of THE POTTS SUBDIVISION, as per map filed August 16, 1939 in Volume 11 of Maps, Page 63, Stanislaus County Records; thence along said last mentioned parallel line, South 89° 50' East, 20.00 feet, to a point on the Western line of said Lot 17; thence along said Western line of Lot 17, South 00° 34' 40" East, 103.00 feet, to the point of beginning.

RESERVING all of the above as a Public Utilities Easement.

Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 81-795

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE UNIVERSITY OF CALIFORNIA FOR THE LEASE OF A PORTION OF THE LINCOLN SCHOOL SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the University of California **for** the lease of a portion of the Lincoln School site to use in its Master Gardening Program. **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th **day of** September, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-796

A RESOLUTION APPROVING SETTLEMENT OF THE CLAIM OF CHUCK MOODY FOR RELOCATION ASSISTANCE PAYMENTS

WHEREAS, by letter dated June 3, 1981, Chuck Moody appealed to the City Council from a decision of the City Manager dated December 11, 1980, regarding Mr. Moody's claim for a relocation assistance payment arising out of the City's acquistion of his property and the relocation of his business, and

WHEREAS, at its meeting of June 16, 1981, the City Council referred Mr. Moody's appeal to city staff, and directed that a report be submitted within 60 days, and

WHEREAS, by letter dated August 13, 1981, Mr. Moody amended his June 3 appeal from the City Manager's decision regarding the claimed relocation assistance payment, and

WHEREAS, at its meeting of August 18, 1981, the City Council continued consideration of Mr. Moody's appeal to its meeting of September 15, 1981, to provide city staff an opportunity to review the appeal further, and to consider the August 13 amendment to said appeal, and

WHEREAS, after discussion of said appeal between members of the city staff and Mr. Moody, the City Manager, by letter dated September 10, 1981, offered Mr. Moody the sum of $6004.48 as a relocation assistance payment for the relocation of his business, and by letter dated September 11, 1981, Mr. Moody agreed to accept such amount if paid in full by September 30, 1981, and

WHEREAS, at its meeting of September 15, 1981, the City Council considered the aforementioned settlement of the claim of Chuck Moody for relocation assistance payments;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the settlement of the claim of Chuck Moody for a relocation assistance payment is hereby approved, in accordance with the terms of the agreement reached between the City Manager and Chuck Moody whereby the City shall pay to Chuck Moody the sum of $6004.48 by September 30, 1981.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of September, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-797

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $6,005 FROM CONTINGENCY RESERVE TO COVER RELOCATION EXPENSES RELATING TO LINCOLN SCHOOL SITE ACQUISITION (CHUCK MOODY)

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Contingency Reserve for Land Acquisition & Capital (61.10 - 8911 - 13)	$6,005
TO:	Lincoln School Site (6407-7130 - 13)	$6,005

To cover relocation expenses relating to the Lincoln School site acquisition.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** September, 19 81, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-798

A RESOLUTION GRANTING IN PART AND DENYING IN PART THE APPEAL TO THE DECISION OF THE PLANNING COMMISSION RELATING TO AN AMENDMENT TO PLANNED DEVELOPMENT ZONE, P-D(133), TO ALLOW THE ADDITION OF A COCKTAIL LOUNGE AND THE SERVING OF ALCOHOLIC BEVERAGES WITH OR WITHOUT THE SALE OF FOOD AT THE MARCELLA RESTAURANT, LOCATED ON THE WEST SIDE OF TULLY ROAD NORTH OF STANDIFORD AVENUE.

WHEREAS, the City Council by Ordinance No. 1474-C.S. effective November 22, 1975, amended Section 7-3-9 of the Zoning Map to reclassify from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(133), property located on the north side of Standiford Avenue and on the west side of Tully Road, to allow C-1 Zone uses on the easterly portion and allowing P-O Zone uses on the westerly portion except for certain preexisting and specified C-1 Zone uses, and

WHEREAS, City Council Resolution No. 75-980 which was adopted on October 6, 1975, approved the development plan for P-D(133) and contained the conditions of approval thereof, and

WHEREAS, City Council Resolution No. 78-806, which was adopted on August 7, 1978, amended Section 1 of Resolution No. 75-980 referred to above to amend the conditions contained therein, and

WHEREAS, City Council Resolution No. 79-1203, which was adopted on November 13, 1979, further amended Section 1 of Resolution No. 75-980 referred to above, to amend the conditions contained therein, including the addition of condition number 16 thereto relating to the sale of alcoholic beverages at Marcella's Restaurant located in said P-D(133), and

WHEREAS, City Council Resolution No. 80-989, which was adopted on September 23, 1980, further amended Section 1 of Resolution No. 75-980 referred to above, to amend the conditions contained therein, and

WHEREAS, a verified application for an amendment to Planned Development Zone, P-D(133), was filed by Emma Duran on May 1, 1981, to allow the addition of a

cocktail lounge and the serving of alcoholic beverages with or without the sale of food at the Marcella Restaurant, located on the west side of Tully Road north of Standiford Avenue, and

WHEREAS, a public hearing was held by the Planning Commission on June 1, 1981, and continued to June 15, 1981, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, at said hearing, the Planning Commission, by its Resolution No. 81-155, found and determined that an amendment to P-D(133) as requested was not required by public necessity, convenience, and general welfare for the reasons set forth in Planning Commission Resolution No. 81-155 and quoted below:

1. The City Council approval of November 13, 1979, made clear that a separate bar area with bar seating was not permitted yet the applicant proceeded to build this facility contrary to the wishes of the City Council.

2. A separate cocktail lounge and service of alcoholic beverages without food is not a typical use for a neighborhood shopping area. P-D(133) is generally limited to neighborhood (C-1) uses,

and

WHEREAS, at said public hearing referred to above, the Planning Commission denied the application for an amendment to P-D(133) to permit the addition of a cocktail lounge and the serving of alcoholic beverages with or without the sale of food at the Marcella Restaurant, located on the west side of Tully Road north of Standiford Avenue, and

WHEREAS, an appeal was filed with the City Council of the City of Modesto on June 23, 1981, by Francis R. Ruggieri on behalf of Alfred and Emma Duran to the decision of the Planning Commission denying their request for an amendment to P-D(133) to permit the addition of a cocktail lounge and the serving of alcoholic beverages with or without the sale of food at the Marcella Restaurant, and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers, City Hall, 801 - 11th Street, Modesto, California, at 4:00 o'clock p.m. on August 4, 1981,and continued to August 18, 1981, at 4:00 o'clock p.m., and further continued to September 15, 1981, at 4:00 o'clock p.m., and

WHEREAS, on September 15th said Council, after having heard evidence both oral and documentary at said hearings, found and determined that said appeal to the decision of the Planning Commission denying the request for an amendment to P-D(133) to permit the addition of a cocktail lounge and the serving of alcoholic beverages with or without the sale of food at the Marcella Restaurant, located on the west side of Tully Road north of Standiford Avenue, should be granted in part, subject to the hereinafter listed conditions, and should be denied in part all for the reasons hereinafter set forth,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby find and determine as follows:

1. A separate cocktail lounge and the service of alcoholic beverages at said cocktail lounge separate from a restaurant operation is not a typical use for a neighborhood shopping center area and P-D(133) is generally limited to neighborhood (C-1) uses. Therefore, the request for an amendment to P-D(133) to allow the addition of a cocktail lounge at Marcella's Restaurant should be denied and that part of the decision of the Planning Commission upheld.

2. Allowing the mixing of alcoholic beverages in the dining room area of Marcella's Restaurant, with no seating or service at the bar or location where the alcoholic beverages are mixed, will accommodate the public yet maintain the characteristic of Marcella's Restaurant as a neighborhood commercial use, and that part of the requested amendment to P-D(133) should be granted and that part of the decision of the Planning Commission overrulled.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that condition number 16 of Section 1 of Modesto City Council Resolution No. 75-980, entitled "A Resolution Approving a Plan for Planned Development Zone, P-D(133). (Lance E. Ellis and Carol L. Ellis)" as added by Resolution No. 79-1203, and amended by Resolution

No. 80-989, is hereby further amended to read as follows:

"16. That the serving of alcoholic beverages shall only be in conjunction with the operation of the Marcella Restaurant and said restaurant shall be open to the public no later than 10:00 p.m. Sunday through Thursday, and 11:00 p.m. Friday and Saturday. The public shall not be seated nor otherwise served at the bar location where alcoholic beverages are mixed or prepared."

BE IT FURTHER RESOLVED by the Council of the City of Modesto that all of the other provisions of Modesto City Council Resolution No. 75-980, adopted by the City Council on October 6, 1975, as amended by Resolutions No. 78-806, 79-1203, and 80-989 shall remain in full force and effect.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of September, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

By Elwyn E. Johnson
ELWYN E. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-799

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 26-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (BRIGHT DEVELOPMENT)

WHEREAS, on September 15, 1981, the City Council introduced Ordinance No. 2083-C.S. giving approval to a project relating to an amendment to Section Map 26-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Medium-High Density Residential Zone, R-3, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 32-3-9 of theZoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Medium-High Density Residential Zone, R-3.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of September, 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-800

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 32-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (GARY E. BRIGHT)

WHEREAS, on September 15, 1981, the City Council introduced Ordinance No. 2084-C.S. giving approval to a project relating to an amendment to Section Map 32-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2., and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 32-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of September, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-801

A RESOLUTION AMENDING THE HOUSING ELEMENT OF THE MODESTO URBAN AREA GENERAL PLAN, AND CERTIFYING COPIES THEREOF TO THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, AND TO THE CITY COUNCILS OF THE CITIES OF CERES AND RIVERBANK.

WHEREAS, pursuant to the provisions of the Government Code of the State of California, the Modesto City Planning Commission is charged with the responsibility of recommending to the City Council a comprehensive, long-term general plan for physical development of the city and land outside its boundaries which, in the Commission's judgement, bears relating to its planning, and

WHEREAS, a General Plan for the City of Modesto entitled "Modesto-Ceres-Empire Area General Plan", was recommended by the Modesto City Planning Commission and adopted by the Council of the City of Modesto by Resolution No. 59-33 on January 23, 1959, and

WHEREAS, thereafter the Planning Commission of the City of Modesto determined and found that amendments to said adopted General Plan of the City of Modesto and surrounding urban area were in the public interest, and said General Plan was amended by Modesto City Council resolutions:

No. 65-695, adopted on December 27, 1965 (Land Use, Public Facilities and Circulation)
No. 70-235, adopted on March 16, 1970 (Housing Element, Phase #1)
No. 72-1042, adopted on October 2, 1972 (Interim Open Space Plan)
No. 73-671, adopted on August 6, 1973 (Open Space and Recreation Elements)
No. 74-651, adopted on August 5, 1974 (Land Use and Circulation Elements)
No. 75-364, adopted on March 10, 1975 (Phase Two Housing Element)
No. 75-638, adopted on June 9, 1975 (Safety, Scenic Highways and Seismic Safety Elements)
No. 76-906, adopted on July 26, 1976 (Housing Element, Phase #3)
No. 77-724, adopted on July 11, 1977 (Amended Land Use and Circulation Elements Map with Text Amendment on Storm Drains)

No. 77-765, adopted on July 25, 1977 (Amendment to Land Use and Circulation Elements Map - Orchard Neighborhood)
No. 78-854, adopted on August 14, 1978 (Conservation Element)
No. 78-855, adopted on August 14, 1978 (Noise Element)
No. 80-322, adopted on April 8, 1980 (Amendment to Land Use and Circulation Elements Map - College West Neighborhood)
No. 80-636, adopted July 1, 1980 (Amendment to Land Use and Circulation Elements Map)
No. 81-50, adopted January 27, 1981 (Amendment to Housing Element)
No. 81-419, adopted May 26, 1981 (Amendment to Land Use and Circulation Elements Map), and

WHEREAS, the Planning Commission held a public hearing on August 31, 1981, on an amendment to the Modesto Urban Area General Plan to amend the Housing Element, at which hearing evidence, both oral and documentary, was received and considered, and

WHEREAS, the Planning Commission has determined and found that the adoption of an amendment to the Housing Element of the Modesto Urban Area General Plan would be in the interest of the general welfare, and

WHEREAS, the Planning Commission by Resolution 81-215 adopted on August 31, 1981, has approved and recommended to the City Council an amendment to the Housing Element of the Modesto Urban Area General Plan, as set forth in the report entitled, "Recommended Changes to the Modesto Urban Area Housing Element" dated August 1981, a copy of which is on file in the office of the Director of Planning and Community Development, and

WHEREAS, the City Council held a public hearing on said amendment, as approved and recommended by the Planning Commission, on September 15, at 4:00 o'clock p.m., in the Council Chambers, in City Hall, Modesto, California, as required by law, and

WHEREAS, the Council has received and reviewed the findings of the City of Modesto Environmental Assessment Committee, which resulted in a Negative Declaration as to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that the adoption of an amendment to the Housing Element of the adopted General Plan of the City of Modesto and the surrounding urban area is required for the public health, safety and general welfare.

BE IT FURTHER RESOLVED by the Council that it does hereby adopt an amendment to the Housing Element of the adopted General Plan of the City of Modesto and surrounding urban area as set forth in the report entitled, "Recommended Changes to the Modesto Urban Area Housing Element", dated August 1981, a copy of which is on file in the office of the Director of Planning and Community Development and in the office of the City Clerk.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to certify a copy of said amendment to the Housing Element of the adopted General Plan to the Board of Supervisors of the County of Stanislaus, the City Council of the City of Ceres, and the City Council of the City of Riverbank.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of September, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-802

A RESOLUTION ACCEPTING THE BID OF BROWN SHEET METAL AND MECHANICAL, INC. FOR MANCINI BOWL RESTORATION

WHEREAS, Resolution No. 81-725 adopted by the Council of the City of Modesto on August 18, 1981 , approved the plans and specifications for the Mancini Bowl restoration and authorized the calling for bids; and

WHEREAS, the bids received for the Mancini Bowl restoration were opened at 11:00 a.m. on September 4, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Brown Sheet Metal and Mechanical, Inc. in the amount of $41,994 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Brown Sheet Metal and Mechanical, Inc. in the amount of $41,994 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of September , 19 81, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-803

A RESOLUTION ADOPTING RECOMMENDATIONS ONE AND TWO OF THE PUBLIC PROJECTS COMMITTEE'S URBAN BOUNDARY STUDY

WHEREAS, the Public Projects Committee has held a series of public meetings to view various boundary situations in furtherance of the study of the City's urban boundaries; and

WHEREAS, as a result of this study, the Committee recommends the following:

1. Various types of boundaries found around the Urban Area vary in effectiveness as a means of separation between urban and agricultural uses. When considering future extensions of urban services, establishment of the best available boundary should be a criterion. The following boundary types, in order from most to least effective, are considered adequate: a) river; b) freeway; c) railroad; d) canal; e) major street. Collector streets as a boundary are undesirable and should be avoided where possible. Residential uses backing directly on the boundary are very undesirable and should be avoided whenever urban boundaries are extended.

2. There are existing situations along the North and Yosemite trunk portions of the CSSA boundary where streets stub into the boundary, thereby allowing access between residential and agricultural areas. The Committee recommends that access at these points be obstructed by fencing. It is recommended that staff be directed to approach adjacent property owners with the offer to fence the street right of way with chain link fencing if the property owners will close the gaps remaining between the right of way and the adjacent side or rear yard fences. It is recommended that an area within the street right of way in front of the fences be planted with shrubs. The streets affected by this recommendation are Clogston Way, Poppypatch Drive, Penny Lane, Burnside Avenue, Crocus Drive, Dragoo Park Drive, and Drakeshire Drive.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that recommendations one and two of the Public Projects Committee's report regarding the Urban Boundary Study, be and are hereby adopted.

BE IT FURTHER RESOLVED that the Public Works Department is hereby directed to initiate the necessary amendments to the Standard Specifications of the City of Modesto to require developers of future subdivisions that have stub streets in the current sewer service area to construct fences and plant shrubs as described in recommendation "2" above.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of September, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle

NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-804

A RESOLUTION ADOPTING RECOMMENDATION NUMBER THREE OF THE PUBLIC PROJECTS COMMITTEE'S URBAN BOUNDARY STUDY

WHEREAS, the Public Projects Committee has held a series of public meetings to view various boundary situations in furtherance of the study of the City's urban boundaries; and

WHEREAS, as a result of this study, the Committee recommends the following:

3. It is recommended that the area north of the Current Sewer Service Area, south of the Hetch Hetchy right of way and Claratina Avenue, and west of Coffee Road, be added to the priority list for addition to the Current Sewer Service Area, with the area's ranking on the list to be established at the next Annual Growth Review.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that recommendation Number Three of the Public Projects Committee's Urban Boundary Study, be and is hereby adopted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of September, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore

NOES: Councilmembers: Patterson, Siefkin, Mayor Mensinger

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-805

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CALVIN E. AND MARJORIE H. BRIGHT FOR THE DEDICATION OF STREET RIGHT OF WAY IN RETURN FOR THE CITY'S CONSTRUCTING CERTAIN STREET IMPROVEMENTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Calvin E. and Marjorie H. Bright **for** the dedication of street right of way in return for the City's constructing certain street improvements **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** September, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-806

A RESOLUTION APPROVING THE FINAL MAP OF THE ROSEGATE TOWNHOUSES NO. 2 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, ROSEGATE INVESTMENT GROUP, a partnership

is (~~are~~) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 0.381 acres, known as the _____ Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 15th day of September, 1981, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Rosegate Townhouses No. 2 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of September, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Council-

member Patterson, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-807

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DELTA BENEFITS PLANS FOR HEALTH INSURANCE COVERAGE FOR CITY EMPLOYEES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Delta Benefits Plans **for** health insurance coverage for City employees

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** September, **19**81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Patterson, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-808

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND BLUE CROSS FOR HEALTH INSURANCE COVERAGE FOR CITY EMPLOYEES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Blue Cross

for health insurance coverage for City employees

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** September, **19** 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Patterson, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-809

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $13,090 TO FUND NEW POSITION OF RISK MANAGEMENT TECHNICIAN FOR NINE MONTHS

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Health Insurance (426-6202-01)	$13,090
TO:	Salary, Regular	$13,090

To fund new position of Risk Management Technician for nine months. This position will administer the self-insured health insurance program.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** September, 19 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Patterson, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-810

A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN GROUP HEALTH AND DENTAL INSURANCE PREMIUM RATES OR PORTIONS THEREOF.

WHEREAS, the City of Modesto has a group health insurance plan for its employees and their dependents, and

WHEREAS, the City of Modesto has a group dental insurance plan for its employees and for the dependents of some of its employees, and

WHEREAS, the Council desires to set forth which of the premium rates or portions thereof for the City's group health and dental insurance plans will be paid by the City of Modesto, and which will be paid by the employees, and

WHEREAS, some employees of the City of Modesto, pursuant to provisions in Memoranda of Understanding, subscribe for health and dental insurance coverage under a group plan administered by the Operating Engineers Union Local No. 3, and

WHEREAS, the Council desires to set forth which of the premium rates or portions thereof charged by the Operating Engineers Union Local No. 3 group health and dental insurance plan will be paid by the City of Modesto, and which will be paid by the employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City of Modesto will pay the premium rates, or portions thereof, for group health and dental insurance under the group health and dental insurance plans provided by the City of Modesto as set forth on the chart marked Exhibit "A", attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that the City of Modesto will pay the premium rates, or portions thereof, for group health and dental insurance under the group

insurance plan provided by the Operating Engineers Union Local No. 3 as set forth on the chart marked Exhibit "B", attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that employees who want to subscribe for health and dental insurance coverage for dependents under the City's group health and dental insurance plans must subscribe for dependent coverage under both of said plans.

BE IT FURTHER RESOLVED that Resolution No. 81-556 adopted by the Council on June 23, 1981, is hereby resinded as of October 6, 1981.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of September, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

HEALTH & DENTAL INSURANCE
PREMIUM DISTRIBUTION

City Plan Rates
As of 9/15/81

Group	Plan	Employee Cost	City Cost	Total Cost
POLICE (Non-Management)	Employee			
	Dental	-	5.79	
	Health	-	17.17	22.96
	Combined			
	Dental	-	5.79	
	Health	-	54.08	59.87
MISCELLANEOUS (Non-Management)	Employee			
	Dental	-	5.79	
	Health	-	17.17	22.96
	Combined			
	Dental	-	11.85	
	Health		54.08	65.93
MGT & CONFIDENTIAL (Except Police and Fire Management, but including Police and Fire Chief)	Employee			
	Dental	-	5.79	
	Health	-	17.17	22.96
	Combined			
	Dental	-	11.85	
	Health	-	54.08	65.93
FIRE (Non-Managment)	Employee			
	Dental	-	5.79	
	Health	-	17.17	22.96
	Combined			
	Dental	-	5.79	
	Health	16.92	33.66	56.37
POLICE MANAGEMENT (Except Chief)	Employee			
	Dental	-	5.79	
	Health	-	17.17	22.96
	Combined			
	Dental	-	11.85	
	Health	-	54.08	65.93
FIRE MANAGEMENT (Except Chief)	Employee			
	Dental	-	5.79	
	Health	-	17.17	22.96
	Combined			
	Dental	-	11.85	
	Health	16.92	33.66	62.43

EXHIBIT "A"

CITY OF MODESTO
HEALTH AND DENTAL INSURANCE
PREMIUM DISTRIBUTION

OE #3 Plan Rates
As of 9/15/81

GROUP	Plan	Employee Cost	City Cost	Total Cost
POLICE (Non-Management)	Employee			
	Dental	-	5.87	
	Health	45.49	17.17	68.53
	Combined			
	Dental	-	5.87	
	Health	8.58	54.08	68.53
MISCELLANEOUS (Non-Management)	Employee			
	Dental	14.95	5.79	
	Health	-	47.79	68.53
	Combined			
	Dental	2.60	11.85	
	Health	-	54.08	68.53

EXHIBIT "B"

MODESTO CITY COUNCIL
RESOLUTION NO. 81-811

A RESOLUTION INITIATING PROCEEDINGS FOR THE PROPOSED ANNEXATION OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS BEVERLY-HARRIS ANNEXATION TO THE CITY OF MODESTO AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by the owners of real property within territory in the County of Stanislaus requesting annexation of the Beverly-Harris Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by resolution dated August 19, 1981, determined that said territory is uninhabited and approved the initiation of proceedings for annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code, a copy of which resolution is attached hereto as Exhibit A and made a part hereof by reference, and

WHEREAS, the terms and conditions of the proposed annexation, if any, are set forth in said resolution, and

WHEREAS, the reason or reasons for the proposed annexation in the proposal thereof submitted to the Commission are set forth in page 5 of the application, which page is attached hereto as Exhibit B and made a part hereof by reference, and

WHEREAS, the chief petitioners requesting said annexation as set forth in the application filed with the Commission are:

Name	Address
Stephen R. Clark	P. O. Box 15217 Garderville, Nevada 89410
Manuel Magallon	1237 Harris Avenue, Modesto, CA
Eugene Abel	1554 Morse Road, Modesto, CA

and

WHEREAS, the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situated in the County of Stanislaus, State of California, and has been designated as _____ Beverly-Harris Annexation to the City of Modesto _____, the exterior boundaries of which are set forth in the description attached hereto as Exhibit C and made a part hereof by reference, and

WHEREAS, no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described territory to the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED AND NOTICE IS HEREBY GIVEN that the 6th day of October, 1981, at the hour of 4:00 o'clock P.M. in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto be and is hereby fixed as the time and place for considering said annexation, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed.

1. Any such protest must be in writing, must be filed with the City Clerk at any time before the conclusion of the hearing on the proposed annexation, and must give the name and address of the owner of real property within such territory with the description and area of such property, in general terms.

2. The City Clerk shall cause a copy of this resolution to be published at least twice, but not more often than once a week in The Modesto Bee, a newspaper

of general circulation, published in the City of Modesto and in the County of Stanislaus and being the official newspaper of the City of Modesto. Said publications shall be commenced at least fifteen (15) days prior to the date set for the hearing.

3. The City Clerk of the City of Modesto shall also cause a copy of this resolution to be mailed to:

(a) Any person who has filed his name and address with the City Clerk and has requested such mailed notice;

(b) The chief petitioners, if any, as indicated in the petition initiating proceedings;

(c) To each affected city, county, and district; and

(d) To the executive officer of the Local Agency Formation Commission.

4. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

BE IT FURTHER RESOLVED that Resolution No. 81-776 adopted by the Council on September 1, 1981, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of September, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Alfred Zamora
Public Works Department

RESOLUTION

Date: AUGUST 19, 1981

No. 81-42

Subject: BEVERLY-HARRIS ANNEXATION TO THE CITY OF MODESTO

On motion of Commissioner Cannella, Seconded by Commissioner Starn, and approved by the following vote,
Ayes: Commissioners: Cannella, Starn, and Garcia
Noes: Commissioners: --
Absent: Commissioners: Condit, Draper
Disqualified: Commissioners: Muratore
Abstaining: Commissioners: Ulm

AUG 198
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CLERK'S OFFICE

THE FOLLOWING RESOLUTION WAS ADOPTED:

WHEREAS, the Commission has conducted a public hearing on the proposed Beverly-Harris Annexation to the City of Modesto.

WHEREAS, notice of the said public hearing was given pursuant to Section 35055 of the California Government Code; and

WHEREAS, the Commission has, in evaluating the proposal, considered the report submitted by the Executive Officer and the factors set forth in Section 54796 of the California Government Code;

NOW, THEREFORE, BE IT RESOLVED that the Commission:

1. Certify that it has considered the Negative Declaration recommended by the County Environmental Review Committee;

2. Find that: (a) the territory involved in the proposal is uninhabited; (b) the proposal is consistent with all applicable local general plans; (c) the territory involved is within an area that is committed to urbanization; and (d) the approval of the proposal would not have a significant effect on the environment;

3. Order that the Negative Declaration be issued;

4. Designate the proposal as the Beverly-Harris Annexation to the City of Modesto;

5. Approve the proposal as submitted; and

6. Designate the City of Modesto as the conducting authority, and direct its city council to initiate annexation proceedings.

I hereby certify that the foregoing is a true and correct copy of a document on file in my office.

GARDNER L. HUTCHINS
Executive Officer, Stanislaus County
Local Agency Formation Commission

8070-3

EXHIBIT "A"

VIII. PROPONENTS' STATEMENT

A. State the reason(s) why the proponent(s) feel the annexation should be approved. (Note: this statement or a synopsis of it, will be included in the written report which is submitted to LAFCO.)

The annexation should be approved so that residents of the area can make use of the city sewer Line which runs down Harris. Six months ago I replaced an entire septic system which had collapsed; and just Last week another system needed to be pump. After pumping this septic system, I found that it was half filled with dirt! The entire area is <u>well</u> saturated with septic systems. Many people have problems because after 3 & 4 ~~[illegible]~~ rehabs of the Leach Lines, property owners have no more room to extend the system. I am also concerned about these wastes getting into the drinking water.

April 27, 1981

BEVERLY-HARRIS ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 31, Township 3 South, Range 9 East, and the Northwest quarter of Section 6, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the most Northerly corner of the PARADISE-WADE ANNEXATION (381) as per description filed August 22, 1978 as Instrument 11378, Stanislaus County Records, said point being on the center line of 50.00 foot Paradise Road and on the North-South quarter section line in said Section 6;

1. thence along the existing City Limits and the center line of Paradise Road on the Northwestern boundary of said Addition (381), South 49° 55' 00" West, 461.54 feet;

2. thence leaving the existing City Limits and the center line of Paradise Road, North 40° 05' 00" West, 262.16 feet;

3. thence South 49° 55' 00" West, 10.00 feet;

4. thence North 40° 05' 00" West, 48.95 feet, to a point on the Southern line of 40.00 foot Beverly Drive;

5. thence along said Southern line of Beverly Drive, South 89° 30' 00" West, 13.07 feet;

6. thence North 00° 13' 00" West, 253.10 feet;

7. thence North 89° 30' 00" East, 148.14 feet, to the center line of 40.00 foot Ritsch Lane;

8. thence along said center line of Ritsch Lane, South 00° 13' 00" East, 69.60 feet;

9. thence North 89° 30' 00" East, 268.14 feet;

10. thence North 00° 13' 00" West, 100.00 feet;

11. thence South 89° 30' 00" West, 60.00 feet;

12. thence North 00° 13' 00" West, 285.99 feet;

13. thence North 89° 30' 00" East, 13.145 feet;

14. thence North 00° 13' 00" West, 150.00 feet;

15. thence South 89° 30' 00" West, 13.145 feet;

16. thence North 00° 13' 00" West, 116.29 feet;

17. thence South 89° 30' 00" West, 8.145 feet;

EXHIBIT "C"

18. thence North 00° 13' 00" West, 117.00 feet, to a point on the section line common to said Sections 6 and 31;

19. thence along said section line common to Sections 6 and 31, South 89° 30' 00" West, 212.92 feet;

20. thence North 00° 28' 45" West, 259.03 feet;

21. thence North 89° 40' 00" East, 121.00 feet;

22. thence South 89° 23' 00" East, 319.43 feet, to the North-South quarter section line in said Section 31, and center line of 60.00 foot Harris Avenue;

23. thence along said North-South quarter section line in Section 31 and said center line of Harris Avenue, South 00° 13' 00" East, 252.46 feet, to the South quarter section corner in Section 31 and the North quarter section corner in said Section 6;

24. thence along the North-South quarter section line in Section 6 and the center line of Harris Avenue, South 00° 13' 00" East, 892.08 feet, to the point of beginning, containing 10.170 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-812

A RESOLUTION APPROVING THE FINAL MAP OF THE NARAGHI LAKES NO. 1 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, U. S. BY-PRODUCTS, INC., a corporation; SHARON NARAGHI GRCICH, who acquired title as Sharon Doris Naraghi, a single woman; and HASHEM NARAGHI, a married man as his sole and separate property

is (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 163.769 acres, known as the NARAGHI LAKES NO. 1 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 20th day of August, 19 79, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said NARAGHI LAKES NO. 1 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with the Home Owners' Association to provide drainage facilities for said subdivision.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of September, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Council-

member Patterson, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-813

A RESOLUTION VACATING AND ABANDONING "10TH" STREET BETWEEN "B" AND "D" STREETS, "C", STREET BETWEEN "9TH" AND "11TH" STREETS, AND THE "20-FOOT ALLEY" IN "BLOCK 50" IN THE CITY OF MODESTO.

WHEREAS, the Council of the City of Modesto adopted Resolution No. 81-706 on August 11, 1981, declaring its intention to vacate and abandon "10th" Street between "B" and "D" Streets, "C" Street between "9th" and "11th" Streets, and the "20-Foot Alley" in "Block 50" in the City of Modesto, and

WHEREAS, "10th" Street between "B" and "D" Streets, "C" Street between "9th" and "11th" Streets, and the "20-Foot Alley" in "Block 50" in the City of Modesto to be vacated and abandoned were more particularly shown on that certain map entitled, "Vacate and Abandon Portions of 10th Street and "C" Street and the alley in Block 50. LD 79-G", dated September 11, 1979, which is on file in the office of the City Clerk, and

WHEREAS, said Resolution No. 81-706 was published in the Modesto Bee, the official newspaper of the City of Modesto, once each week for two (2) successive weeks prior to said hearing, and

WHEREAS, the Director of Public Works of the City of Modesto has caused notices of said proposed vacation and abandonment to be posted conspicuously along the lines of the properties proposed to be vacated and abandoned at least fourteen (14) days before the date of said hearing in the manner specified by law, and

WHEREAS, a hearing was held on Tuesday, September 1, 1981, at 4:00 o'clock p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto,

California at which time all persons interested in or objecting to the proposed vacation were afforded the opportunity to appear, and

WHEREAS, all things and acts necessary to be done as required by Division 9, Part 3, Chapter 3, of the Streets & Highways Code of the State of California in order to vacate and abandon said properties have been done and accomplished, and

WHEREAS, the Council finds and declares that "10th" Street between "B" and "D" Streets, "C" Street between "9th" and "11th" Streets, and the "20-Foot Alley" in "Block 50" in the City of Modesto are unnecessary for present or prospective street and alley purposes, and that the vacation and abandonment thereof is in the public interest, subject to the conditions hereinafter set forth, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, that it hereby orders and declares the vacation and abandonment of "10th" Street between "B" and "D" Streets, "C" Street between "9th" and "11th" Streets, and the "20-Foot Alley" in "Block 50" in the City of Modesto, as shown on the map entitled, "Vacate and Abandon Portions of 10th Street and "C" Street and the alley in Block 50. LD 79-G", on file in the office of the City Clerk, and more particularly described on Exhibit "A" which is attached hereto and made a part hereof as though set forth in full herein, said vacation and abandonment to be on the following conditions:

1. That prior to final abandonment action by the City Council, the owners of the right-of-way to be abandoned shall execute an abandonment agreement pertaining to use of the abandoned right-of-way. Said agreement shall be in a form to be approved by the City Attorney and shall provide substantially as follows:

a. That owners, at their expense, shall construct appropriate barriers across the abandoned 10th Street right-of-way at the southerly line of D Street and the northerly line of B Street, and across the abandoned C Street right-of-way at the easterly line of 9th Street and the westerly line of 11th Street. Said barriers shall meet the structural requirements of the City Engineer and plans for the barriers shall be submitted to the City Public Works Department for approval. Said barriers shall contain openings to allow access by affected City departments and utility companies for public safety and utility maintenance and construction purposes. Keys to locked gates in said barriers shall be provided to affected City departments and utility companies. Said barriers shall be completed within ninety (90) days following final abandonment action by the City Council.

b. That owners shall maintain the abandoned right-of-way in a manner that will allow free access by public safety and utility service vehicles. The stacking of pallets or other material in the right-of-way, parking of unattended vehicles, or the blocking of the street in any manner that would inhibit access by public safety or utility service vehicles shall be prohibited.

c. That the owners shall construct street improvements to industrial street standards along that portion of the D Street frontage of their property located between 9th Street and 11th Street. Said improvements shall include street trees in sidewalk blockouts located on approximately 40-foot centers. Improvement plans for required street improvements shall be prepared by a registered civil engineer and submitted for approval by the City Engineer. Said improvements shall be completed by not later than one year following final abandonment action by the City Council.

2. That the entire 60-foot wide street area shall be retained as an easement for public utilities and access by emergency vehicles over and across the entire area to be abandoned.

3. That prior to final abandonment action by the City Council, legal access to properties located on the westerly side of 10th Street, north of C Street owned by the City of Modesto and S & W Fine Foods, Inc. shall be deeded in a manner satisfactory to the Director of Public Works of the City of Modesto and S & W Fine Foods, Inc. Said legal access shall be in a form to be approved by the City Attorney.

BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to the vacation and abandonment of "10th" Street between "B" and "D" Streets, "C" Street between "9th" and "11th" Streets, and the "20'Foot Alley" in "Block 50" in the City of Modesto, County of Stanislaus, State of California.

BE IT FURTHER RESOLVED that the City Clerk shall cause a certified copy of this resolution, attested under the seal of the City, to be recorded in the Office of the County Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of Sept., 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

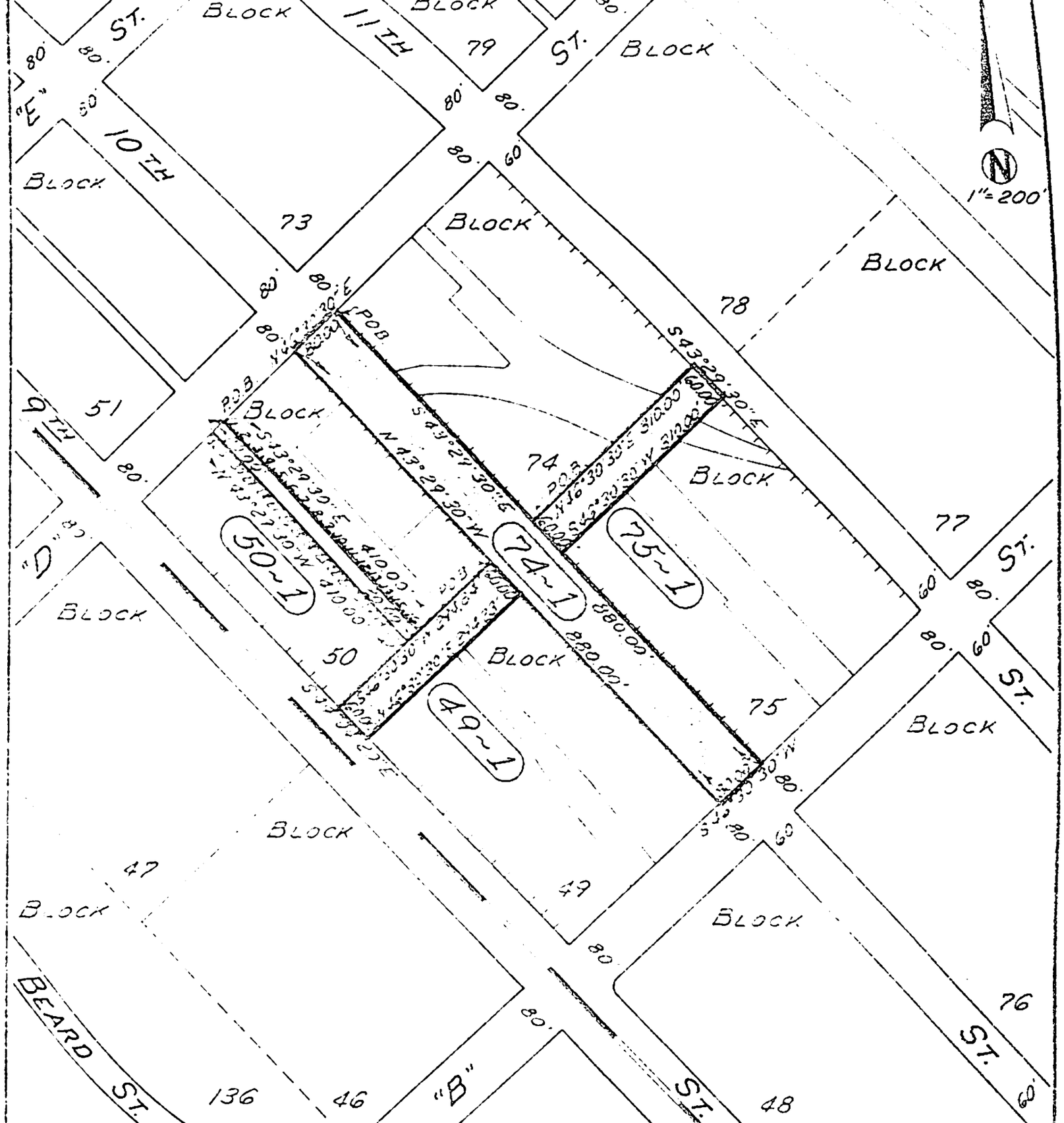
AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney



RECOMMENDED BY:

ALFRED KAUFMAN R.E. 6745

CITY OF MODESTO
DEPARTMENT OF PUBLIC WORKS
ANDREW R. CAMPBELL DIRECTOR
alfred kaufman
DEPUTY SEPT 13, 1979
R.E. 10606

DATE	DRAWN	CHECKED
Sept. 11, 1979	J. Christiansen	E. V. Gist

VACATE AND ABANDON PORTIONS OF 10TH ST. & "C" ST. & THE ALLEY IN BLOCK 50. LD 79-G

DATE	BY

FLD. BK. & PG.

W. O. NO.

FILE NUMBER 4-A-623

Exhibit "A"

VACATE AND ABANDON PORTIONS OF TENTH STREET AND "C" STREET AND THE ALLEY IN BLOCK 50

All that real property in the State of California, County of Stanislaus, City of Modesto, being a portion of the Northeast quarter of Section 32 and the Northwest quarter of Section 33, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

PARCEL 74-1 (Tenth Street)

That portion of Tenth Street as delineated on the Official Map of the City of Modesto, as per map filed December 21, 1942, in Volume 15 of Maps, Stanislaus County Records, more particularly described as follows:

Beginning at the most Westerly corner of Block 74, said point being on the Northeastern line of 80.00 foot Tenth Street; thence along said Northeastern line of Tenth Street, South 43° 29' 30" East, 880.00 feet, to the most Southerly corner of Block 75, said point being on the Northwestern line of 80.00 foot "B" Street; thence along the Southwesterly prolongation of the Southeastern boundary of said Block 75, South 46° 30' 30" West, 80.00 feet, to the most Easterly corner of Block 49, said point being on the Southwestern line of 80.00 foot Tenth Street; thence along said Southwestern line of Tenth Street, North 43° 29' 30" West, 880.00 feet, to the most Northerly corner of Block 50, said point being on the Southeastern line of 80.00 foot "D" Street; thence along the Northeasterly prolongation of the Northwestern boundary of said Block 50, North 46° 30' 30" East, 80.00 feet, to the point of beginning.

Reserving all of the above as a Public Utilities Easement.

PARCEL 75-1 ("C" Street)

That portion of "C" Street as delineated on the Official Map of the City of Modesto, as per map filed December 21, 1942, in Volume 15 of Maps, Stanislaus County Records, more particularly described as follows:

Beginning at the most Southerly corner of Block 74, said point being on the Northwestern line of 60.00 foot "C" Street; thence along said Northwestern line of "C" Street, North 46° 30' 30" East, 310.00 feet, to the most Easterly corner of said Block 74, said point being on the Southwestern line of 60.00 foot Eleventh Street; thence along the Southeasterly prolongation of the Northeastern boundary of Block 74, South 43° 29' 30" East, 60.00 feet, to the most Northerly corner of Block 75; said point being on the Southeastern line of 60.00 foot "C" Street; thence along said Southeastern line of "C" Street, South 46° 30' 30" West, 310.00 feet, to the most Westerly corner of Block 75, said point being on the Northeasterly line of 80.00 foot Tenth Street; thence along the Northwesterly prolongation of the Southwestern boundary of Block 75, North 43° 29' 30" West, 60.00 feet, to the point of beginning.

Reserving all of the above as a Public Utilities Easement.

Exhibit "A"

PARCEL 49-1 ("C" Street)

That portion of "C" Street as delineated on the Official Map of the City of Modesto, as per map filed December 21, 1942, in Volume 15 of Maps, Stanislaus County Records, more particularly described as follows:

Beginning at the most Easterly corner of Block 50, said point being on the Northwestern line of 60.00 foot "C" Street; thence along said Northwestern line of "C" Street, South 46° 30' 30" West, 294.84 feet, to the most Southerly corner of said Block 50, said point being on the Northeastern line of Ninth Street; thence along the Southeasterly prolongation of the Southwestern boundary of said Block 50, South 44° 04' 20" East, 60.00 feet, to the most Westerly corner of Block 49, said point being on the Southeastern line of 60.00 foot "C" Street; thence along said Southeastern line of "C" Street, North 46° 30' 30" East, 294.23 feet, to the most Northerly corner of said Block 49, said point being on the Southwesterly line of 80.00 foot Tenth Street; thence along the Northwesterly prolongation of the Northeastern boundary of Block 49, North 43° 29' 30" West, 60.00 feet, to the point of beginning.

Reserving all of the above as a Public Utilities Easement.

PARCEL 50-1 (Alley Right-of-Way)

That portion of the alley in Block 50 as delineated on the Official Map of the City of Modesto, as per map filed December 21, 1942, in Volume 15 of Maps, Stanislaus County Records, described as follows:

Beginning at the most Westerly corner of Lot 1 in Block 50, said point being on the Northeastern line of the 20.00 foot alley in said Block 50; thence along said Northeastern line of said alley, South 43° 29' 30" East, 410.00 feet, to the most Southerly corner of Lot 16 in Block 50, said point being on the Northwestern line of 60.00 foot "C" Street; thence along the Southwesterly prolongation of the Southeastern boundary of said Lot 16, South 46° 30' 30" West, 20.00 feet, to the most Easterly corner of Lot 17 in Block 50, said point being on the Southwestern line of said 20.00 foot alley in Block 50; thence along said Southwestern line of said alley, North 43° 29' 30" West, 410.00 feet, to the most Northerly corner of Lot 32 in Block 50, said point being on the Southeastern line of 80.00 foot "D" Street; thence along the Northeasterly prolongation of the Northwestern line of said Lot 32, North 46° 30' 30" East, 20.00 feet, to the point of beginning.

Reserving all of the above as a Public Utilities Easement.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-814

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ASPEN AIRWAYS FOR INTERIM AIR SERVICE AT THE MODESTO CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Aspen Airways

for interim air service at the Modesto City-County Airport

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** September, **19** 81, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-815

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(ROLAND H. & NORMA L. DELAY, BLOCK 6706, LOT 1 - $314.26)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on March 24, 19 81, adopt its Resolution No. 81-214, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $314.26.

SECTION 2. That the cost of the aforesaid work, being the amount of $314.26, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Block 6706 of College De Ville as per map filed May 25, 1956 in Vol. 18 of Maps, Pg. 52, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 059-3201-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-816

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(RUDY G. & MARCELLA BRIONES, Block 6706, Lot 3 - $294.66)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on March 24, 19 81, adopt its Resolution No. 81-214, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $294.66.

SECTION 2. That the cost of the aforesaid work, being the amount of $294.66, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 3 of Block 6706 of College De Ville as per map filed May 25, 1956 in Vol. 18 of Maps, Page 52, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 059-3203-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-817

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(LLOYD B. & PHYLLIS C. ANDERSON, BLOCK 6706, LOT 6 - $294.66)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on March 24, 19 81, adopt its Resolution No. 81-214, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $294.66.

SECTION 2. That the cost of the aforesaid work, being the amount of $294.66, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 6 of Block 6706 of College De Ville as per map filed May 25, 1956 in Vol. 18 of Maps, Pg. 52, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 059-3206-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-818

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(NINA MINENI - BLOCK 6706, LOT 7 - $294.66)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on March 24, 1981, adopt its Resolution No. 81-214, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 1981, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $294.66.

SECTION 2. That the cost of the aforesaid work, being the amount of $294.66, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 7 of Block 6706 of College De Ville as per map filed May 25, 1956 in Vol. 18 of Maps, Pg. 52, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 059-3207-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-819

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(DOROTHY JARREL, BLOCK 6706, LOT 8 - $294.66)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on March 24, 19 81, adopt its Resolution No. 81-214, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $294.66.

SECTION 2. That the cost of the aforesaid work, being the amount of $294.66, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 8 of Block 6706 of College De Ville as per map filed May 25, 1956 in Vol. 18 of Maps, Pg. 52, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 059-3208-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-820

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(THOMAS O. & EULA CROFT, BLOCK 6706, LOT 9 - $298.01)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on March 24, 19 81, adopt its Resolution No. 81-214, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $298.01.

SECTION 2. That the cost of the aforesaid work, being the amount of $298.01, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 9 of Block 6706 of College De Ville as per map filed May 25, 1956 in Vol. 18 of Maps, Pg. 52, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 059-3209-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-821

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(JOHN F. & NANCY L. HUTTON, BLOCK 6706, LOT 15 - $310.37)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on March 24, 1981, adopt its Resolution No. 81-214, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 1981, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $310.37.

SECTION 2. That the cost of the aforesaid work, being the amount of $310.37, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 15 of Block 6706 of College De Ville as per map filed May 25, 1956 in Vol. 18 of Maps, Pg. 52, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 059-3210-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-822

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(ARNOLD O. & OLGA PETERSON, BLOCK 6706, LOT 16 - $308.05)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on March 24, 19 81, adopt its Resolution No. 81-214, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $308.05.

SECTION 2. That the cost of the aforesaid work, being the amount of $308.05, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 16 of Block 6706 of College De Ville as per map filed May 25, 1956 in Vol. 18 of Maps, Pg. 52, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 059-3211-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-823

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(FRANKLIN D. & KATHLEEN A. LINDSTROM, BLOCK 6706, LOT 17 - $308.05)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on March 24, 19 81, adopt its Resolution No. 81-214, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $308.05.

SECTION 2. That the cost of the aforesaid work, being the amount of $308.05, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 17 of Block 6706 of College De Ville as per map filed May 25, 1956 in Vol. 18 of Maps, Pg. 52, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 059-3212-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-824

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(JOSEPH V. & LINDA K. WOOD, BLOCK 6706, LOT 18 - $303.59)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on March 24, 19 81, adopt its Resolution No. 81-214, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $303.59.

SECTION 2. That the cost of the aforesaid work, being the amount of $303.59, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 18 of Block 6706 of College De Ville as per map filed May 25, 1956 in Vol. 18 of Maps, Pg. 52, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 059-3213-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-825

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(BARRETT & JANET M. NEWSOM, BLOCK 6706, LOT 19 - $303.59)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on March 24, 1981, adopt its Resolution No. 81-214, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 1981, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $303.59.

SECTION 2. That the cost of the aforesaid work, being the amount of $303.59, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 19 of Block 6706 of College De Ville as per map filed May 25, 1956 in Vol. 18 of Maps, Pg. 52, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 059-3214-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-826

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(GORDON & SUSAN M. HOLLINGSWORTH, BLOCK 6706, LOT 20 - $303.59)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on March 24, 19 81, adopt its Resolution No. 81-214, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $303.59.

SECTION 2. That the cost of the aforesaid work, being the amount of $303.59, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 20 of Block 6706 of College De Ville as per map filed May 25, 1956 in Vol. 18 of Maps, Pg. 52, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 059-3215-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-827

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(ORVILLE A. & PATRICIA A. ATNIP, BLOCK 6706, LOT 21 - $301.93)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on March 24, 19 81, adopt its Resolution No. 81-214, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $301.93.

SECTION 2. That the cost of the aforesaid work, being the amount of $301.93, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 21, Block 6706 of College De Ville as per map filed May 25, 1956 in Vol. 18 of Maps, Pg. 52, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 059-3216-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-828

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(WILLIAM E. & SHIRLEY M. SELCHOW, BLOCK 6706, LOT 22 - $446.45)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on March 24, 19 81, adopt its Resolution No. 81-214, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $446.45.

SECTION 2. That the cost of the aforesaid work, being the amount of $446.45, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 22 of Block 6706 of College De Ville as per map filed May 25, 1956 in Vol. 18 of Maps, Pg. 52, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 059-3217-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-829

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(MARVIN L. & DOROTHY F. JONES - BLOCK 6834, LOT 8 - $378.62)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 19 80, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $378.62.

SECTION 2. That the cost of the aforesaid work, being the amount of $378.62, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 8 of Block 6834 of Northgate Subdivision No. 3 as per map filed September 12, 1960 in Vol. 19 of Maps, Pg. 48, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 059-0517-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-830

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(ANN C. EDMISTON - BLOCK 6834, LOT 9 - $686.03)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 19 80, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $686.03.

SECTION 2. That the cost of the aforesaid work, being the amount of $686.03, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 9 of Block 6834 of Northgate Subdivision No. 3 as per map filed September 12, 1960 in Vol. 19 of Maps, Pg. 48, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 059-0516-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-831

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(ELMO, SR. & BERTHA WILSON - BLOCK 6834, LOT 24 - $443.62)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 1980, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 1981, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $443.62.

SECTION 2. That the cost of the aforesaid work, being the amount of $443.62, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 24 of Block 6834 of Northgate Subdivision No. 3 as per map filed Sept. 12, 1960 in Vol. 19 of Maps, Pg. 48, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 059-0501-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-832

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(PAYLESS DRUG STORES - BLOCK 6836, PARCEL 1 - $1,676.05)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 1980, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 1981, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,676.05.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,676.05, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcel 1 of Block 6836 as per parcel map filed Oct. 17, 1969 in Book 7 of Parcel Maps, Pg. 75, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 059-0412-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-833

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(DONALD M. & YVONNE F. CAMPIOTTI - BLOCK 6627, LOT 9 - $284.70

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 19 80, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $284.70.

SECTION 2. That the cost of the aforesaid work, being the amount of $284.70, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 9 of Block 6627 of Gregory Gardens No. 3 as per map filed Oct. 23, 1958 in Vol. 19 of Maps, Pg. 8, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 060-0427-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-834

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(HARRY D. & BERYL E. BIRKS - BLOCK 6627, LOT 10 - $268.50)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 19 80, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $268.50.

SECTION 2. That the cost of the aforesaid work, being the amount of $268.50, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 10 of Block 6627 of Gregory Gardens No. 3 as per map filed Oct. 23, 1958 in Vol. 19 of Maps, Pg. 8, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 060-0428-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-835

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(ESTES E. & ELSIE L. TERRY - BLOCK 6627, LOT 13 - $268.50)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 19 80, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $268.50.

SECTION 2. That the cost of the aforesaid work, being the amount of $268.50, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 13 of Block 6627 of Gregory Gardens No. 3 as per map filed Oct. 23, 1958 in Vol. 19 of Maps, Pg. 8, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 060-0431-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-836

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(KRIS D. BRADFORD - BLOCK 6627, LOT 14 - $268.50)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 19 80, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $268.50.

SECTION 2. That the cost of the aforesaid work, being the amount of $268.50, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 14 of Block 6627 of Gregory Gardens No. 3 as per map filed Oct. 23, 1958 in Vol. 19 of Maps, Pg. 8, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 060-0432-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-837

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(JERRY T. STEELE - BLOCK 6627, LOT 15 - $268.50)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 1980, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 1981, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $268.50.

SECTION 2. That the cost of the aforesaid work, being the amount of $268.50, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 15, Block 6627 of Gregory Gardens No. 3 as per map filed Oct. 23, 1958 in Vol. 19 of Maps, Pg. 8, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 060-0433-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-838

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(CARROLL & JUANITA UNDERWOOD - BLOCK 6627, LOT 16 - $268.50)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 19 80, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $268.50.

SECTION 2. That the cost of the aforesaid work, being the amount of $268.50, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 16 of Block 6627 of Gregory Gardens No. 3 as per map filed Oct. 23, 1958 in Vol. 19 of Maps, Pg. 8, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 060-0434-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-839

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(LEONARD KIRKAVA - BLOCK 6627, LOT 14 - $326.41)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 19 80, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $326.41.

SECTION 2. That the cost of the aforesaid work, being the amount of $326.41, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 17 of Block 6627 of Gregory Gardens No. 3 as per map filed Oct. 23, 1958 in Vol. 19 of Maps, Pg. 8, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 060-0435-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-840

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(LOREN L. FERNANDES & JOAN M. WATERMAN - BLOCK 6627, LOT 1 - $313.25)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 19 80, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $313.25.

SECTION 2. That the cost of the aforesaid work, being the amount of $313.25, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Block 6627 of Gregory Gardens as per map filed Jan. 27, 1956 in Vol. 18 of Maps, Pg. 45, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 060-0525-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-841

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(DAN B. & JEANETTE C. HAMMON - BLOCK 6627, LOT 2 - $308.78)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 1980, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $308.78.

SECTION 2. That the cost of the aforesaid work, being the amount of $308.78, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 2 of Block 6627 of Gregory Gardens as per map filed 1/27/56 in Vol. 18 of Maps, Pg. 45, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 060-0526-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-842

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(ELVIS E. & WILMA J. SHOLER - BLOCK 6627, LOT 3 - $308.78)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 19 80, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $308.78.

SECTION 2. That the cost of the aforesaid work, being the amount of $308.78, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 3 of Block 6627 of Gregory Gardens as per map filed 1/27/56 in Vol. 18 of Maps, Pg. 45, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 060-0527-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-843

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(ELAINE M. GAY - BLOCK 6627, LOT 4 - $308.78)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 1980, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $308.78.

SECTION 2. That the cost of the aforesaid work, being the amount of $308.78, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 4, Block 6627 of Gregory Gardens as per map filed 1/27/56 in Vol. 18 of Maps, Pg. 45, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 060-0528-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-844

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(ROY D. & CORA M. CAGLE - BLOCK 6627, LOT 5 - $308.78)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 19 80, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $308.78.

SECTION 2. That the cost of the aforesaid work, being the amount of $308.78, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 5 of Block 6627 of Gregory Gardens as per map filed 1/27/56 in Vol. 18 of Maps, Pg. 45, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 060-0528-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-845

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(STANLEY F. & JANET C. BARANSKI - BLOCK 6627, LOT 6 - $308.78)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 1980, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 1981, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $308.78.

SECTION 2. That the cost of the aforesaid work, being the amount of $308.78, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 6 of Block 6627 of Gregory Gardens as per map filed 1/27/56 in Vol. 18 of Maps, Pg. 45, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 060-0530-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-846

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(CARL R. & MAGGIE L. HOLLAND - BLOCK 6627, LOT 7 - $308.78)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 1980, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 1981, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $308.78.

SECTION 2. That the cost of the aforesaid work, being the amount of $308.78, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 7 of Block 6627 of Gregory Gardens as per map filed 1/27/56 in Vol. 18 of Maps, Pg. 45, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 060-0531-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-847

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(DAVID W. & SUSAN M. MOODY - BLOCK 6627, LOT 8 - $308.78)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 19 80, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $308.78.

SECTION 2. That the cost of the aforesaid work, being the amount of $308.78, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 8 of Block 6627 of Gregory Gardens as per map filed 1/27/56 in Vol. 18 of Maps, Pg. 45, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-07 060-0532-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-848

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(MARK G. & SUSAN J. CONWAY - BLOCK 801-A, PORTIONS LOT 1 & 2 - $442.10)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 19 80, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $442.10.

SECTION 2. That the cost of the aforesaid work, being the amount of $442.10, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 and the West 31.72 feet of Lot 2 of Block 801-A of City of Modesto as per map filed 12/21/42 in Vol. 15 of Maps, Pg. 801-A, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 114-1009-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-849

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(JACK E. & PEGGY J. MCCOY - LOT 3 & PORTION LOT 2 & 4, BL 801-A - $637.77)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 19 80, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 1981, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $637.77.

SECTION 2. That the cost of the aforesaid work, being the amount of $637.77, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 3 and the East 34.28 feet of Lot 2 and the West 44 feet of Lot 4 of Block 801-A of City of Modesto as per map filed 12/21/42 in Vol .15 of Maps, Pg. 801-A, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 114-1010-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-850

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.

(RICHARD A. & GRETEL WEIGLAND - LOT 5 & PORTION LOT 4 - BLOCK 801-A,$388.99)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 19 80, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $388.99.

SECTION 2. That the cost of the aforesaid work, being the amount of $388.99, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 5 and the East 22 feet of Lot 4 of Block 801-A of City of Modesto as per map filed 12/21/42 in Vol. 15 of Maps, Pg. 801-A, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 114-1011-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-851

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(GENE E. JOHNSON - LOT 6, BLOCK 801-A, $291.74)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 19 80, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $291.74.

SECTION 2. That the cost of the aforesaid work, being the amount of $291.74, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 6 of Block 801-A of City of Modesto as per map filed 12/21/42 in Vol. 15 of Maps, Pg. 801-A, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 114-1012-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-852

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(FREDERICK W. REYLAND JR. - BLOCK 801-A LOT 8 AND PORTION LOT 9 - $353.63)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 19 80, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $353.63.

SECTION 2. That the cost of the aforesaid work, being the amount of $353.63, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 8 and the East 14 feet of Lot 9 of Block 801-A of City of Modesto as per map filed 12/21/42 in Vol. 15 of Maps, Pg. 801-A, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 114-1018-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-853

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.

(KENNETH E. & DOROTHY M.STEVENS - BLOCK 801-A, PORTIONS LOT 9 & 10-$331.53)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 1980, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $331.53.

SECTION 2. That the cost of the aforesaid work, being the amount of $331.53, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 52 feet of Lot 9 and the East 23 feet of Lot 10 of Block 801-A of City of Modesto as per map filed December 21, 1942 in Vol. 15 of Maps, Pg. 801-A, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 114-1019-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-854

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(RICHARD N. & JUDITH A. LEGRAND - BLOCK 801-A,PORTIONS LOT 10 & 11 -$341.74)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 1980, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 1981, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $341.74.

SECTION 2. That the cost of the aforesaid work, being the amount of $341.74, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 43 feet of Lot 10 and the East 34.31 feet of Lot 11 of Block 801-A of City of Modesto as per map filed 12/21/42 in Vol. 15 of Maps, Pg. 801-A, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 114-1020-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

(Alleys)

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-855

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF ASPHALTIC CONCRETE PAVING ALONG CERTAIN ALLEYS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPORVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN.
(ERNEST V. & EVELYN E. DARPINIAN - LOT 12 AND PORTION LOT 11 - BLOCK 801-A, $441.97)

WHEREAS, Chapter 27 of Part 3 of Division 8 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 23, 1980, adopt its Resolution No. 80-987, ordering the installation of certain improvements along certain alleys in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of asphaltic concrete paving on property abutting the property hereafter described, and

WHEREAS, September 22, 1981, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $441.97.

SECTION 2. That the cost of the aforesaid work, being the amount of $441.97, be assessed in three annual installments as a lien against the parcel (s) of property fronting upon the work so constructed. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 12 and the West 31.69 feet of Lot 11 of Block 801-A of City of Modesto as per map filed 12/21/42 in Vol. 15 of Maps, Pg. 801-A, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 114-1021-101)

SECTION: 3. Said assessment shall bear interest on the unpaid balance at the rate of seven (7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed

by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Alleys)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-856

A RESOLUTION DECLARING THAT A SUFFICIENT PROTEST HAS NOT BEEN MADE AGAINST THE ANNEXATION OF CERTAIN INHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS WHITMORE NO. 3 ANNEXATION TO THE CITY OF MODESTO, AND ANNEXING SAID TERRITORY.

WHEREAS, by Resolution No. 81-774, adopted on September 1, 1981, the Council of the City of Modesto initiated proceedings to annex to the City of Modesto certain inhabited territory known as Whitmore No. 3 Annexation to the City of Modesto, and

WHEREAS, by said Resolution No. 81-774, the Council fixed the 22nd day of September, 1981, at the hour of 7:30 o'clock P.M., in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto as the time and place for hearing protests against said annexation, and

WHEREAS, a copy of said Resolution No. 81-774 was duly published in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and in the County of Stanislaus and being the official newspaper of the City of Modesto, for the time and in the manner required by law, said publications being commenced at least fifteen (15) days prior to the date set for the hearing, and

WHEREAS, the City Clerk has given notice to all persons legally entitled thereto, in the manner required by law, and

WHEREAS, on the 22nd day of September, 1981, at the hour of 7:30 o'clock P.M., in the Council Chambers at the City Hall, 801 11th Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation, and

WHEREAS, less than twenty-five (25%) percent of the registered voters within the territory and less than twenty-five (25%) percent of the owners of land who own less than twenty-five (25%) percent of the total assessed value of land within the territory have filed and not withdrawn written protests prior to the close of said hearing, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by Resolution dated August 19, 1981, ordered that a negative declaration be filed as to the environmental effect of the subject annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All of the requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the Whitmore No. 3 Annexation to the City of Modesto, is inhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. A sufficient protest against the proposed annexation of said territory has not been made to require an election.

5. Said territory is hereby annexed to and made a part of the City of Modesto.

6. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate of completion by the LAFCO executive officer.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of the subject annexation is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of said annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1981, by Councilmember Muratore, who moved its adotpion, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Public Works Department

CITY OF MODESTO
WHITMORE NO. 3 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 7 and the Southwest quarter of Section 8, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the WHITMORE NO. 2 ANNEXATION (430), as per description filed November 20, 1980, as Instrument 32240, Stanislaus County Records;

1. thence along the existing City Limits on the boundary of said ANNEXATION (430), South 00° 10' 00" East, 151.00 feet;

2. thence continuing along the existing City Limits on said boundary, North 89° 20' 00" West, 32.00 feet;

3. thence leaving the existing City Limits, North 89° 20' 00" West 481.23 feet, to the East line of the Southwest quarter of the Southwest quarter of Section 8;

4. thence along said quarter quarter section line, South 00° 10' 40" West, 1174.84 feet, to the South line of Section 8 and the center line of 40 foot Whitmore Avenue;

5. thence along said South line and center line, North 89° 29' 00" West, 1321.63 feet, to the Southwest corner of Section 8;

6. thence along said center line and the South line of Section 7, North 89° 50' 00" West, 14.00 feet;

7. thence along a line 14.00 feet Westerly and parallel with the West line of Section 8, North 00° 13' 00" East, 1329.41 feet, to the Westerly extension of the Southern line of the Rutherford Tract, as per map filed March 19, 1947 in Volume 16 of Maps, Page 37, Stanislaus County Records;

8. thence along said extension and Southern line, South 89° 20' 00" East, 952.40 feet, to the center line of 60 foot Rutherford Street;

9. thence along said center line, North 00° 13' 00" East, 170.00 feet, to the center line of 60 foot Lassen Avenue;

10. thence along said center line, South 89° 20' 00" East, 1024.67 feet, to the center line of 60 foot Guthrie Street;

11. thence along said center line, South 00° 13' 00" West, 170.00 feet, to a point on the existing City Limits and a Northern line of ANNEXATION (430);

12. thence along the existing City Limits and said Northern line, North 89° 20' 00" West, 130.00 feet, to the point of beginning, containing 46.468 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-857

A RESOLUTION DECLARING THAT A SUFFICIENT PROTEST HAS NOT BEEN MADE AGAINST THE ANNEXATION OF CERTAIN INHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS SUNNYSIDE NO. 2 ANNEXATION TO THE CITY OF MODESTO, AND ANNEXING SAID TERRITORY.

WHEREAS, by Resolution No. 81-775, adopted on September 1, 1981, the Council of the City of Modesto initiated proceedings to annex to the City of Modesto certain inhabited territory known as Sunnyside No. 2 Annexation to the City of Modesto, and

WHEREAS, by said Resolution No. 81-775, the Council fixed the 22nd day of September, 1981, at the hour of 7:30 o'clock P.M., in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto as the time and place for hearing protests against said annexation, and

WHEREAS, a copy of said Resolution No. 81-775 was duly published in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and in the County of Stanislaus and being the official newspaper of the City of Modesto, for the time and in the manner required by law, said publications being commenced at least fifteen (15) days prior to the date set for the hearing, and

WHEREAS, the City Clerk has given notice to all persons legally entitled thereto, in the manner required by law, and

WHEREAS, on the 22nd day of September, 1981, at the hour of 7:30 o'clock P.M., in the Council Chambers at the City Hall, 801 11th Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation, and

WHEREAS, less than twenty-five (25%) percent of the registered voters within the territory and less than twenty-five (25%) percent of the owners of land who own less than twenty-five (25%) percent of the total assessed value of land within the territory have filed and not withdrawn written protests prior to the close of said hearing, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by Resolution dated August 19, 19 81, ordered that a negative declaration be filed as to the environmental effect of the subject annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All of the requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the Sunnyside No. 2 Annexation to the City of Modesto, is inhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. A sufficient protest against the proposed annexation of said territory has not been made to require an election.

5. Said territory is hereby annexed to and made a part of the City of Modesto.

6. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate of completion by the LAFCO executive officer.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of the subject annexation is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of said annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1981, by Councilmember Muratore, who moved its adotpion, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Alfred Tamura
Public Works Department

October 17, 1980
Corrected October 29, 1980

SUNNYSIDE NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the Sunnyside Addition (410), as per description filed July 26, 1979 as Instrument 6061, Stanislaus County Records, said point also being on the intersection of the centerline of 50 foot Scenic Drive and the South extension of the East line of Lot 29 of Sunnyside Acres subdivision recorded May 24, 1911 in Volume 5 of Maps, Page 45, Stanislaus County Records;

1. thence along an Eastern line of said Addition (410), North 00° 15' 00" West, 292.38 feet;

2. thence along a Southeastern boundary of said Addition (410), North 75° 23' 52" East, 136.65 feet, to the centerline of 40 foot Sunnyside Avenu

3. thence along an Eastern boundary of said Addition (410) and on the centerline of 40 foot Sunnyside Avenue North 00° 15' 00" West, 646.04 feet, to a Northeastern corner of said Addition (410);

4. thence along a Northern boundary of said Addition (410) North 89° 40' 00" West, 329.62 feet, to a Northeastern corner of the Coffee-Lucern No. 1Addition (343), as per description filed March 26, 1976, as Instrument 44153, Stanislaus County Records;

5. thence along a Northern boundary of said Addition (343), North 89° 40' 00" West, 284.62 feet, to the Eastern line of 90 foot Coffee Road;

6. thence along an Eastern boundary of said Addition (343) on said Eastern line of Coffee Road, North 00° 15' 00" West, 185.00 feet, to a Southwestern corner of Gould Addition (148), as per description filed February 5, 1963, as Instrument 4468, Stanislaus County Records;

7. thence along the Southern boundary of said Addition (148), and along the Northern line of 40 foot Lucern Avenue, South 89° 40' 00" East, 614.24 feet, to the Eastern line of said Addition (148) and the centerline of 40 foot Sunnyside Avenue;

8. thence along the Eastern line of said Addition (148), and along said centerline, North 00° 15' 00" West, 308.35 feet, to the Southern boundary of the Downey High School and John Muir School Addition (33), as per description filed July 27, 1950, as Instrument 16443, Stanislaus County Records;

9. thence along the Southern boundary of said Addition (33) and the Southern line of a 20 foot alley, South 89° 42' 00" East, 264.98 feet, to the Northwestern corner of the Irons Court Addition (380), as per description filed August 18, 1978, as Instrument 10692, Stanislaus County

Records;

10. thence along the Western boundary of said Addition (380), South 00° 17' 30" East, 329.74 feet;

11. thence along the Southern boundary of said Addition (380), South 89° 39' 30" East, 65.91 feet;

12. thence leaving the existing City Limits, South 00° 20' 00" East, 275.00 feet;

13. thence South 89° 40' 00" East, 329.62 feet, to the centerline of 40 foot Brighton Avenue, and a Western boundary of the Strathmore Addition (226), as per description filed February 13, 1969, as Instrument 4972, Stanislaus County Records;

14. thence along a Western line of said Addition (226), and along the centerline of said Brighton Avenue, South 00° 20' 00" East, 566.83 feet, to the centerline of 50 foot Scenic Drive;

15. thence leaving the existing City Limits along said centerline, South 76° 14' 00" West, 74.96 feet;

16. thence continuing along said centerline, South 69° 14' 00" West, 770.31 feet, to the point of beginning containing 17.973 Acres, more or les

MODESTO CITY COUNCIL
RESOLUTION NO. 81-858

A RESOLUTION GRANTING A VARIANCE TO LARRY STOCKS TO PERMIT CONSTRUCTION OF A ONE STORY HOUSE AT 1441 KEARNEY AVENUE IN THE CITY OF MODESTO AND OVERRULING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT.

WHEREAS, an application for a variance from the provisions of Sections 10-2.504, 10-2.1801, and 10-2.1804 of the Modesto Municipal Code to permit construction of a one story house on a substandard lot at 1441 Kearney Avenue was filed by Larry Stocks on August 3, 1981, and

WHEREAS, Sections 10-2.1904(a) and 10-2.2001 of the Modesto Municipal Code authorize the Board of Zoning Adjustment to grant variances subject to findings specified in Section 10-2.2003 of said Modesto Municipal Code, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on August 27, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, at said public hearing, the Board of Zoning Adjustment, by its Resolution No. 1005, found and determined that the application of Larry Stocks for a variance to permit construction of a one story house on a substandard lot at 1441 Kearney Avenue should be denied because the applicant failed to demonstrate the existence of the four conditions for a variance as required by Section 10-2.2003 of the Modesto Municipal Code, and

WHEREAS, an appeal was filed by Larry Stocks with the Modesto City Council by a letter dated September 4, 1981, to the decision of the Board of Zoning Adjustment denying a variance from the provisions of Sections 10-2.504, 10-2.1801, and 10-2.1804 of the Modesto Municipal Code to permit construction of a one story house on a

substandard lot at 1441 Kearney Avenue in the City of Modesto, and

WHEREAS, said appeal was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, at 7:30 p.m. on September 22, 1981, at which time evidence both oral and documentary was taken and introduced, including a revised plot plan, and

WHEREAS, at said hearing the Council found and determined that the appeal filed by Larry Stocks to the deicison of the Board of Zoning Adjustment denying a variance to permit construction of a one story house on a substandard lot at 1441 Kearney Avenue in the City of Modesto in accordance with the revised plot plan should be granted for the following reasons, and that the decision of the Board of Zoning Adjustment should be overruled:

1. There are exceptional or extraordinary circumstances or conditions applicable to the property involved, namely, the applicant's lot is one-half the size of a standard R-1 lot, making it impractical to conform to all setback and lot coverage limitations.

2. A variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone and denied to the property involved, namely, other properties in the area have less than a 15 foot setback and a single family dwelling on a single lot is the basic use allowed all of the surrounding property owners and this right would be reasonably and practically extended to the applicant via variances allowing less than a 15 foot setback and more than 40% lot coverage.

3. The granting of a variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located because it will allow a substantial capital improvement in the neighborhood with two offstreet parking spaces and a small but usable private yard area, and the street setback will be the same as other property setbacks in the area.

4. The granting of a variance will not adversely affect the comprehensive general plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal of Larry Stocks to the decision of the Board of Zoning Adjustment denying a variance from the provisions of Sections 10-2.504, 10-2.1801, and 10-2.1804 of the Modesto Municipal Code to Larry Stocks to permit construction of a one story house on a substandard lot at 1441 Kearney Avenue in the City of Modesto is hereby granted, and a variance is hereby granted from the provisions of Sections 10-2.504, and 10-2.508 of the Modesto Municipal Code, subject to the following conditions, and the decision of the Board of Zoning Adjustment as set forth in its Resolution No. 1005 is hereby overruled, all for reasons set forth above:

1. All development shall conform to the plot plan titled "For Red Stocks, Residence at Kearney Ave." as amended in red, stamped approved by the City Council on September 22, 1981.

2. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

3. The applicant shall record a "Notice of Conditions" in the Stanislaus County Recorder's Office on a form available in the Planning and Community Development Department.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-859

A RESOLUTION ACCEPTING THE BID OF FOUR VENDORS AND AUTHORIZING THE ISSUANCE OF FOUR PURCHASE ORDERS FOR VIDEO CAMERA, CASSETTE RECORDER AND RELATED EQUIPMENT

WHEREAS, Resolution No. 81-697, adopted by the Council of the City of Modesto on August 11, 1981, approved the plans and specifications for the purchase of video camera, cassette recorder and related equipment and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of video camera, cassette recorder and related equipment were opened at 2:10 p.m., and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the following four bidders be accepted as the lowest responsible bidders:

California Video Sales	- $11,766.00	- System I:	Items 1, 2, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15
		System II:	Item 1
		System III:	Items 2, 4, 5, 6, 7, 9
McCurry's Cameras	- $ 761.08	- System III:	Item 1
Videomedia	- $ 1,060.00	- System I:	Items 11, 16
Photo & Sound	- $ 46.58	- System III:	Item 3

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that the bids of California Video Sales, McCurry's Cameras, Videomedia, and Photo & Sound be accepted and the issuance of four purchase orders be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1981, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-860

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF SEVEN MID-SIZED SEDANS FROM THE STATE OF CALIFORNIA DEPARTMENT OF GENERAL SERVICES

WHEREAS, the Public Works Service Division has budgeted for the replacement of seven vehicles; four units are presently in service as Police patrol cars and three units are in the Fire service; and

WHEREAS, the State of California Department of General Services has several 1981 Dodge Diplomat mid-sized sedans that were ordered as spares that are available for sale to public agencies.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of seven mid-sized sedans is hereby waived.

BE IT FURTHER RESOLVED that purchase of seven mid-sized sedans from the State of California Department of General Services for the total price of $59,586.04 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1981, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-861

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE EXTENSION OF HAHN DRIVE TO VENEMAN AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the extension of Hahn Drive to Veneman Avenue

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 6, 1981, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-862

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE RENOVATION OF INTERIOR LIGHTING AT THE CITY OF MODESTO POLICE DEPARTMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the renovation of interior lighting at the City of Modesto Police Department

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 13, 1981, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-863

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $12,565 FROM CIP RESERVE FOR RENOVATION OF INTERIOR LIGHTING AT THE CITY OF MODESTO POLICE DEPARTMENT

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	CIP Reserve (6100)	$12,565
TO:	Police Building Renovation (6369)	$12,565

Funds needed to complete the Police Building renovation project begun in 1979.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** September, **19** 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-864

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE INSTALLATION OF AIR VENTILATION SYSTEM AT DOWNTOWN GARAGE AND RELOCATION OF HEATER IN SERVICE SHOP AT CORPORATION YEAR

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the installation of air ventilation system at downtown garage and relocation of heater in service shop at Corporation Yard copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 13, 1981, at 11:10 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-865

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR STRENGTHENING OF THE WATER SYSTEM AT SUNRISE AND EDISON

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for strengthening of the water system at Sunrise and Edison

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 13, 1981, at 11:20 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-866

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF WATERLINE EXTENSION AT FRANKLIN AND BEECH

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of waterline extension at Franklin and Beech

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 13, 1981, at 11:15 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-867

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF PRESCOTT AND SNYDER CANAL CROSSING

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of Prescott and Snyder canal crossing

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 13, 1981, at 11:05 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-868

A RESOLUTION ACCEPTING THE CONSTRUCTION OF COMMERCIAL ALLEY IMPROVEMENTS - PHASE II, AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of commercial alley improvements - Phase II has been completed by Morrow and Waggoner, Inc.

in accordance with the contract agreement dated July 14, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of commercial alley improvements - Phase II be accepted from said contractor, Morrow and Waggoner, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $62,156.45 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-869

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF AN ADDITIONAL 130,000 BYTES OF MEMORY FOR THE WATER AUTOMATION COMPUTER

WHEREAS, the original estimated memory needs for the water automation computer was 56,000 bytes; and

WHEREAS, the complexity of the program is requiring additional memory; and

WHEREAS, the smallest incremental increase in memory is 130,000 bytes, and Hewlett Packard is the sole supplier of this piece of computer equipment.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of an additional 130,000 bytes of memory for the water automation computer is hereby waived.

BE IT FURTHER RESOLVED that purchase of an additional 130,000 bytes of memory for the water automation computer is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1981, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-870

A RESOLUTION ACCEPTING THE BID OF TRIPS, INC. FOR BUS SERVICE AGREEMENT, INTRACITY TRANSIT

WHEREAS, Resolution No. 81-637, adopted by the Council of the City of Modesto on July 28, 1981, approved the plans and specifications for the five-year bus service agreement, Intracity Transit and authorized the calling for bids; and

WHEREAS, the bids received for the bus service agreement, Intracity Transit were opened at 10:00 a.m. on September 15, 1981, and later tabulated by the Director of Parking and/Traffic for the consideration of the Council; and

WHEREAS, the Director of Parking and/Traffic has recommended that the bid of TRIPS, Inc. with the low bid of $13.50 per scheduled bus hour be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of TRIPS, Inc. with the low bid of $13.50 per scheduled bus hour be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-871

A RESOLUTION VACATING AND ABANDONING A PORTION OF A 10-FOOT PUBLIC UTILITY EASEMENT IN LOT 17 OF BLOCK 12409 IN THE CITY OF MODESTO PURSUANT TO SECTION 8333 OF THE STREETS AND HIGHWAYS CODE.

WHEREAS, Section 8333 and following of the California Streets and Highways Code authorize a city council, by resolution, to vacate and abandon easements, and

WHEREAS, there is an easement in Lot 17 of Block 12409 on the real property described in Exhibit "A" attached hereto, which is a portion of a 10-foot public utility easement, and

WHEREAS, the Council finds and declares that:

1. The abandonment and vacation is made pursuant to Chapter 4 of Part 3 of Division 9 of the Streets and Highways Code.

2. The easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

3. That from and after the date this resolution is recorded, the easement vacated will no longer constitute a public utility easement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a portion of the 10-foot public utility easement in Lot 17 of Block 12409 in the City of Modesto which is described in Exhibit "A", which is attached hereto and incorporated by reference herein be, and it is hereby vacated and abandoned, such vacation and abandonment to be effective upon the recording of a certified copy of this resolution in the Stanislaus County Recorder's Office.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Public Works Department

VACATE AND ABANDON A PORTION OF THE 10-FOOT PUBLIC UTILITY EASEMENT IN LOT 17 OF BLOCK 12409

All that real property in the State of California, County of Stanislaus, City of Modesto, being a portion of the Southeast quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, also being a portion of Lot 17 of the RESUBDIVISION MAP OF PTN. BLK. 12409 of SOMERSET PARK #1, as per map filed May 24, 1966 in Volume 21 of Maps, Page 46, Stanislaus County Records, described as follows:

Commencing at the Southeastern corner of said Lot 17; thence along the Eastern line of Lot 17, North 00° 50' 30" West, 16.66 feet, to the true point of beginning of this description; thence continuing along said Eastern line of Lot 17, North 00° 50' 30" West, 10.00 feet; thence North 89° 37' West, 150.67 feet; thence South 33° 22' 27" West, 0.58 feet; thence South 58° 32' 42" East, 18.44 feet; thence South 89° 37' East, 135.41 feet, to the point of beginning.

Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 81-872

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND GUS J. AND GEORGIA J. PAPATONE FOR THE ACQUISITION OF 15.17± ACRES OF THEIR PROPERTY NEEDED FOR THE ROSELLE NEIGHBORHOOD SCHOOL AND PARK SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Gus J. and Georgia J. Papatone **for** the acquisition of 15.17± acres of their property needed for the Roselle Neighborhood school and park site **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** September, **19**81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-873

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND GUS J. AND GEORGIA J. PAPATONE FOR LEASE OF PROPERTY ON FUTURE ROSELLE NEIGHBORHOOD SCHOOL AND PARK SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Gus J. and Georgia J. Papatone **for** lease of property on future Roselle Neighborhood school and park site **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** September, **19** 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-874

A RESOLUTION ACCEPTING IMPROVEMENTS IN REGENCY PARK NO. 1 SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, Regency Park Group , subdividers of Regency Park No. 1 Subdivision , have filed Instruments of Credit for faithful performance and labor and materials in the amount of $ 613,000.00 and $306,500.00 respectively to guarantee improvements in Regency Park No. 1 Subd. ; and

WHEREAS, the Director of Public Works in a memorandum dated September 15, 1981, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Instruments of Creditupon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Regency Park No. 1 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit for faithful performance in the amount of $ 613,000.00upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Instrument of Credit for labor and materials in the amount of $306,500.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September , 1981 by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-875

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR PROPOSED BYRON-EMERALD ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for the proposed Byron-Emerald Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY ANNEXATION QUESTIONNAIRE

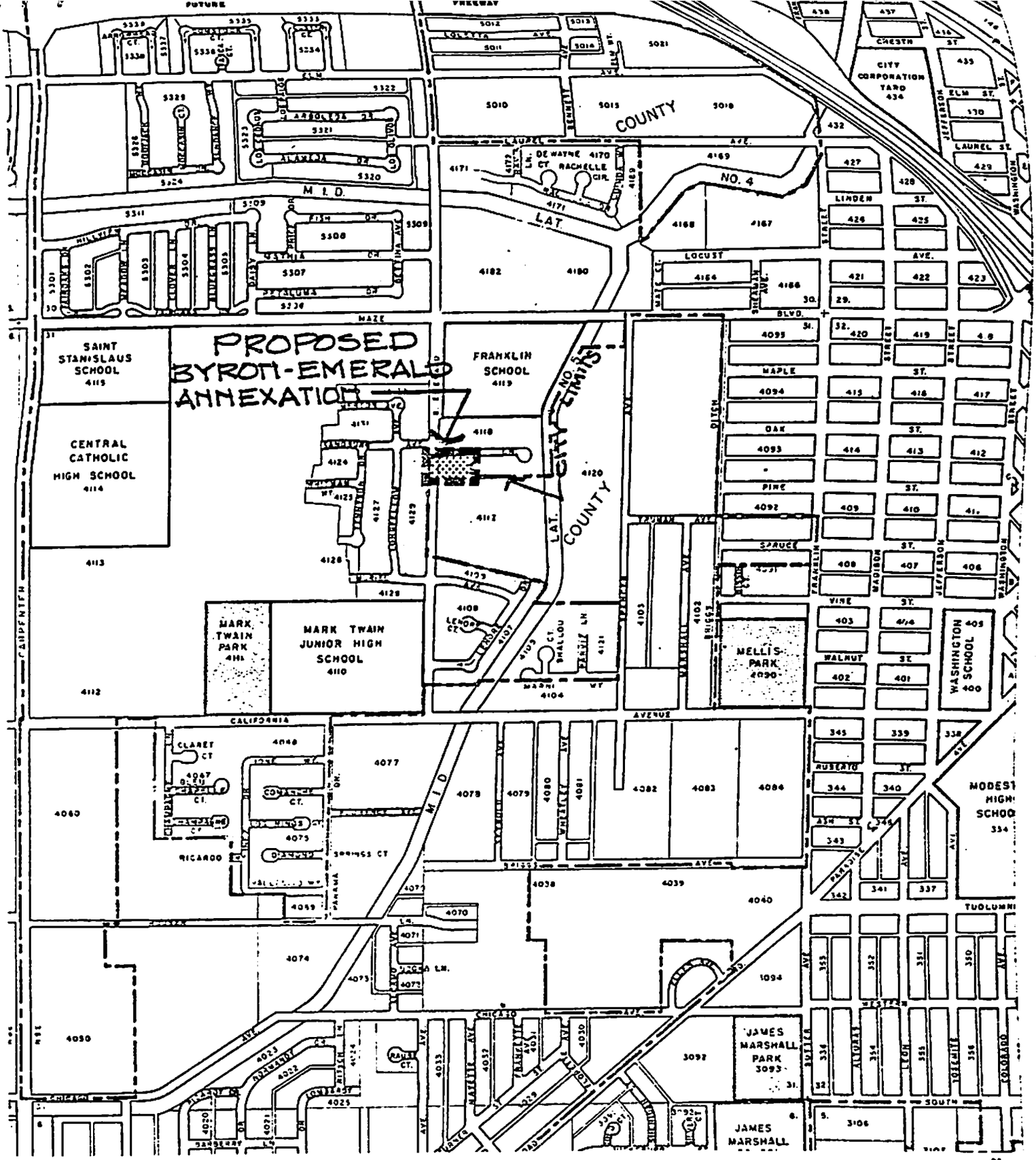
1. Name of City MODESTO

2. Name of Proposed Annexation BYRON-EMERALD

3. Can the City provide complete City Services to the annexation area if the proposal is approved?
YES

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?
NO

5. Other comments the city would like to make.
NONE



PROPOSED
BYRON-EMERALD
ANNEXATION

NORTH

SCALE · 1"=1000'

TO THE CITY OF MODESTO

MODESTO CITY COUNCIL
RESOLUTION NO. 81-876

A RESOLUTION ADOPTING A SCHEDULE OF FEES IN CONNECTION WITH ENCROACHMENT PERMITS AND INSPECTIONS REQUIRED BY THE CITY OF MODESTO AND RESCINDING RESOLUTION NO. 81-294

WHEREAS, Section 5-6.08 of the Modesto Municipal code provides that costs incurred by the City of Modesto for preparation of plans and specifications and for inspections for construction of sewer laterals in the City shall be in accordance with a schedule of fees approved by the Council from time to time by resolutions and on file in the offices of the City Clerk and Director of Public Works, and

WHEREAS, Section 7-1.108 of the Modesto Municipal Code provides that fees for services performed by the City of Modesto pursuant to Chapter I of Title VII of the Modesto Municipal Code relating to street improvements shall be in accordance with a schedule of fees approved by the City Council from time to time by resolutions and on file in the offices of the City Clerk and Director of Public Works, and

WHEREAS, Section 7-2.14 of the Modesto Municipal Code provides that fees for inspection for the temporary closing of public ways in the City of Modesto shall be in accordance with a schedule of fees approved by the City Council from time to time by resolutions and on file in the offices of the City Clerk and Director of Public Works, and

WHEREAS, Section 7-2.22 of the Modesto Municipal Code provides that fees for street paving performed by the City of Modesto shall be paid by permittees obtaining permits therefor from the City in accordance with a schedule of fees approved by the City Council from time to time by resolutions and on file in the offices of the City Clerk and Director of Public Works, and

WHEREAS, Section 7-2.27 of the Modesto Municipal Code provides that fees for street cuts inspections performed by the City of Modesto shall be paid in accordance with a schedule of fees approved by the City Council from time to time by resolution and on file in the offices of the City Clerk and Director of Public Works, and

WHEREAS, Resolution No. 77-1081 entitled, "A Resolution Establishing Conditions for Issuing Encroachment Permits to Place Newspaper Racks in Sidewalk Planting Strips" in the City of Modesto, provides that inspection fees shall be charged in accordance with a schedule of fees approved by the City Council from time to time by resolutions and on file in the offices of the City Clerk and Director of Public Works, and

WHEREAS, it is the desire of the City Council of the City of Modesto to adopt a Schedule of Fees to be charged by the City of Modesto in accordance with the above sections of the Modesto Municipal Code and Resolution No. 77-1081,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following schedule of Fees, attached as Exhibit "A", is hereby adopted providing for work or inspections performed by the City of Modesto in connection with encroachment permits;

(1) Where no fee is shown, the work is to be performed by others as needed.

(2) Small laterals or extensions designed and drawn by the City shall pay an additional $0.21/l.f.

(3) Utility relocation required for City projects is not subject to a charge.

(4) Public utility companies may pay an annual $100.00 fee in lieu of the $5.00 fee for each permit for services or repair.

(5) Costs shall be paid for emergency or other work performed by City for public health and safety in addition to the following minimum charges:

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

SCHEDULE OF ENCROACHMENT PERMIT FEES

	TYPE PERMIT[6]	BASIC INSP.[5]	STAKING[1]	PAVING[1]	CODE OR RES. REFERENCE
1.	Curbs and curb cuts	$20.00/lot[7]	1.50/l.f.	by City	7-1.108
2.	Sidewalks	15.00/lot[7]	----	----	7-1.108
3.	Sewer Service from lot to sewer lateral	18.00/lot	----	3.50/s.f.	5-6.08; 7-2.22
4.	Sewer Laterals[2]	0.45/l.f.	0.60/l.f.	3.50/s.f.	5-6.08; 7-2.22
5.	Newspaper Racks	15.00/each	----	----	7-1.108
6.	Storm Drains (through curb)	15.00/each	----	----	701.108
7.	Utilities,[3] Major Const.	35.00/block	----	3.50/s.f.	7-2.27; 7-2.22
8.	Utilities[3] Services or Repair	14.00/each[4]	----	3.50/s.f.	7-2.22; 7-2.27
9.	Street Closures (temporary)	50.00/each	----	----	7-2.14
10.	Street Lights	30.00/each	----	----	7-1.108
11.	Rock Wells or Storm Drain Connections	28.00/each	----	----	7-1.108
12.	Street Paving	20.00/lot[7]	----	----	7-1.108
13.	Improvements[8]	30.00/lot[7]	----	----	7-1.108

(1) Where no fee is shown, the work is to be performed by others as needed.

(2) Small laterals or extensions designed and drawn by the City shall pay an additional $1.00/l.f.

(3) Utility relocation required for City projects is not subject to a charge.

(4) Public Utility companies may pay an annual $200.00 fee in lieu of the $14.00 fee for each permit for services or repair.

(5) Costs shall be paid for emergency or other work performed by City for public health and safety in addition to the following minimum charges:

a. Cleanup or dust control	$140.00 per street
b. Temporary paving	$100.00 per street
c. Temporary barricades	$ 60.00 per each

(6) Permits are required for all work done in all public rights of way, including public utility easements.

(7) For lots greater than 100' frontage, each 100' or part thereof is considered to be one lot.

(8) Improvements not otherwise listed such as water line extensions, irrigation lines, irrigation line replacements, storm drain lines.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-877

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO SUPPORTING AN INVESTIGATION AND ANALYSIS OF THE INVESTMENT POLICIES OF THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM IN AN EFFORT TO INCREASE RATE OF RETURN.

BE IT RESOLVED by the City Council of the City of Modesto as follows:

1) The California Public Employees Retirement System membership, as of June 30, 1980, included 357,157 members who are employed by local public agencies; and

2) The Public Employees Retirement System Board of Administration has been encouraged to review its investment policies and make necessary changes in its investment policies in order to take advantage of short term investment opportunities, such as federal treasure bills, which are guaranteed by the federal government; and

3) Short term investment vehicles continue to pay high interest rates, as they have for the past 30 months, with PERS failing to capitalize on these investment opportunities; and

4) The 1980 Annual Financial Report and Report of Operations, issued by the Public Employees Retirement System of the State of California for the fiscal period ended June 30, 1980, has revealed that the "Computed Rate of Return" on the entire $12.85 billion PERS investment portfolio was 7.91 percent; and

5) The rate of inflation, as determined by the state composite California Consumer Price Index, as computed by the California State Industrial Relations Board, for the same 12-month period was 17.5 percent for all urban wage earners, and the interest crediting rate which member

employers and employees were granted on their accumulated retirement earnings for the year ending June 30, 1980, was only 6 percent; and

6) The "Statement of Investment Objectives and Policy" of the California Public Employees Retirement System contains a section entitled, "Investment Objectives", which states the following:

> "1) to increase asset coverage of actuarial liabilities; 2) to maintain real dollar value of the assets (provide inflation coverage); and 3) to stabilize current employer contribution rates."

7) The interest crediting rate was increased by PERS Board of Administration to 6.75 percent, effective July 1, 1980; and

8) Federal Treasury Notes, Federal T-Bills, Certificates of Deposit and Short Term Commercial Paper has been yielding interest rates ranging from 12 percent to 20 percent over the past 30 months, depending on the amount to be invested: and

9) Forty-nine percent of the PERS $12.85 billion investment portfolio as of June 30, 1980, is placed in bonds, many of which are long term investments, some yielding as low as 4 percent; and

10) Only 4.1 percent of the PERS investment portfolio, as of June 30, 1980, was placed in short term investments at a time when money market funds are earning up to 20 percent for large investments: and

11) Public agency employers, depending on the Public Employee Retirement System (PERS) benefit level they have contracted for, coupled with their experience, expend from 8 percent to 12 percent of their annual operating budget on PERS employer contributions for employee retirement benefits; and

12) Public agency employers, such as PERS member cities and counties, are experiencing continuous employer rate increases following

periodic audits of the financial integrity of the PERS system; and

13) Current PERS investment policies appear too rigid and unable to respond in a timely manner with a flexible and aggressive investment policy which can capitalize on rapidly changing money market investment opportunities; and

14) PERS' actuaries have estimated that a 1 percent increase in the PERS' Computed Rate of Return on its investment portfolio would probably offset a 13 percent increase in costs to PERS Retirement System employers in California; and

15) The City of Modesto desires to declare its support of the adoption of a proposed Resolution by the League of California Cities at its annual conference in San Francisco to be held in October, 1981, supporting an investigation and analysis of the investment policies of the California Public Employees Retirement System in an effort to increase the rate of return on its investment portfolio.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto that it hereby finds, determines and recommends as follows:

1) The California Public Employees Retirement System (PERS) is not currently meeting the second and third objectives of its stated, "Investment Objectives", which it has officially adopted as policy guidelines for the retirement system investment program; and

2) While it is recognized that the PERS Board of Administration has managed its investment portfolio in a prudent and effective manner in the past, that the League of California Cities take appropriate action to influence the PERS Board of Administration to change its investment strategy so that a significantly higher percentage of new revenue could be placed in

Federal T-Bills, Certificates of Deposit, Bankers Acceptance and other performance investment vehicles with high yield when market conditions so justify, in a concerted effort to maximize earnings from investments; and

3) The League of California Cities take appropriate action to influence the PERS Board of Administration to examine the maturity period when purchasing new, long term bonds to determine whether they should be shortened. This procedure would allow increased opportunities to examine investment decisions in view of current market conditions; and

4) The League of California Cities aggressively oppose passage of Senate Constitutional Amendment 21, or any similar legislation, which would increase the existing 25 percent PERS portfolio ceiling on PERS stock market investments, which investments have not provided a satisfactory rate of return over the eleven year period ending June 30, 1979; and

5) The League of California Cities sponsor legislation which will expand membership of the PERS Board of Administration and the PERS Investment Committee to ensure representation of public agency employers who are PERS members and that such additional positions be filled by appointment of the President of the League of California Cities; and

6) Employee organizations, such as the Peace Officers Research Association of California (PORAC), California State Firefighters Association (CSFA), American Federation of State, County and Municipal Employees (AFSCME), Service Employees International Union (SEIU), other organized

labor organizations and other interested organizations and committees, be fully informed of the importance of this issue and legislation related thereto, and seek their support; and

7) Support be given by the League of California Cities to the Investment Practices Sub-Committee of the Finance, Insurance and Commerce Committee, Assemblyman Louis J. Papan's Assembly Committee, which is conducting an investigation of the investment policies of the California Public Employees Retirement System in an effort to ensure that PERS maximizes its rate of return from investments; and

8) Encouragement be given to PERS member cities, member counties, individual members and public agency employee organizations to write letters to the PERS Board of Administration and to personally appear before the Board to demonstrate wide public agency and employee organization support for a full review of and change, as appropriate, of current investment policies; and

9) The effort to maximize interest earnings from the PERS investment portfolio will directly benefit PERS member cities and individual members of the California Public Employees Retirement System and, in so doing, will reduce the need for employer rate increases which would be funded from tax revenues.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1981, by Councilmember Bright, who moved its adoption, which motion being duly

seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-878

A RESOLUTION TO PROVIDE FOR A LOAN FROM THE GENERAL FUND TO THE SOLID WASTE RECYCLING PROGRAM ACCOUNT AND TO AMEND THE FINAL BUDGET OF THE CITY OF MODESTO FOR FISCAL YEAR 1981-82 TO ESTIMATE REVENUES AND EXPENDITURES OF THE SOLID WASTE RECYCLING PROGRAM.

WHEREAS, the Council of the City of Modesto has established a Solid Waste Recycling Program Charge and has agreed to support a Solid Waste Recycling Program through June 30, 1982, and

WHEREAS, it is necessary to amend the Final Budget of the City of Modesto for Fiscal Year 1981-82 to estimate revenues and appropriate said revenues for the Solid Waste Recycling Program, and

WHEREAS, it will be necessary to loan to the Solid Waste Recycling Program an amount not to exceed $10,000,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following adjustments be made to the final budget of the City of Modesto for Fiscal Year 1981-82 to estimate revenues and appropriate expenditures, and that the following adjustments be made to the General Ledger accounts of the General Fund to provide a loan to the Solid Waste Recycling Program not to exceed $10,000.

1. An amount of up to $10,000 to be provided as a loan from the General Fund to the Solid Waste Recycling Program Account. Said loan to be disbursed by the Director of Finance as follows:
   a. $5,000 on October 1, 1981.
   b. An amount not to exceed $5,000 on November 1, 1981, less the amount collected in the revenue account No. 914-01, Solid Waste Recycling Program Income.

The amount of loan outstanding shall not exceed $5,000 after December 31, 1981. The Director of Finance shall apply sufficient program income to the outstanding loan balance as of December 31, 1981 to bring the total loan outstanding to a balance of $5,000. Any outstanding loan balance as of September 30, 1982 is to be repaid to the General Fund.

2. Estimated revenues in General Fund Account No. 914-01, Solid Waste Recycling Program Income, to be changed from $00.00 to $45,000.

3. Appropriation in General Fund Account No. 235.08-6502-01 be changed from $00.00 to $45,000.

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: Bright, Muratore

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-879

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS COUNTY TO PROVIDE EMERGENCY SERVICES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Stanislaus County to provide emergency services

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** September, **19** 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-880

A RESOLUTION ACCEPTING THE ADAP GRANT OFFER OF THE UNITED STATES OF AMERICA, PROJECT NO. 6-06-0153-09: MODESTO CITY-COUNTY AIRPORT/ HARRY SHAM FIELD.

BE IT HEREBY RESOLVED by the City Council of the City of Modesto as follows:

SECTION 1. That the City of Modesto shall accept the ADAP Grant Offer of the United States of America in the amount of $180,000.00 for the purpose of obtaining Federal aid under Project No. 6-06-0153-09 in the development of Modesto City-County Airport/Harry Sham Field.

SECTION 2. That the City Manager of the City of Modesto is hereby authorized and directed to sign the Statement of Acceptance of said ADAP Grant Offer (entitled Part II - Acceptance) on behalf of the City of Modesto and the City Clerk is hereby authorized and directed to attest the signature of the City Manager and to impress the official seal of the City of Modesto on the aforesaid Statement of Acceptance.

SECTION 3. A true copy of the ADAP Grant Offer referred to herein is attached hereto and made a part hereof.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 28th day of September, 1981, by Councilmember Elliott, who moved

its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright, Lang, Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

GRANT AGREEMENT

Part 1-Offer

Date of Offer SEP 2 5 1981

Modesto City/County Airport /Harry Sham Field
Project No. 6-06-0153-09

Contract No. DTFA08-81-C-30010

TO: City of Modesto, California
(herein referred to as the "Sponsor")

FROM: The United States of America (acting through the Federal Aviation Administration, herein referred to as the "FAA")

WHEREAS, the Sponsor has submitted to the FAA a Project Application (herein called an Application for Federal Assistance) dated August 18, 1981 , for a grant of Federal funds for a project for development of the Modesto City/County Airport (herein called the "Airport"), together with plans and specifications for such project, which Application for Federal Assistance, as approved by the FAA is hereby incorporated herein and made a part hereof; and

WHEREAS, the FAA has approved a project for development of the Airport (herein called the "Project") consisting of the following-described airport development:

Construct extended safety area, Runway 28R (approx. 450' x 800') including modifications to MALSR and install security fencing (approx. 500 L.F. relocate and 1600 L.F. new). Land, clear zone Runway 28R; Parcels F1 and F2 (approx. 1.65 acres) and H1, H2 and H3 (approx. 1.0 acres) including obstruction removal.

all as more particularly described in the property map and plans and specifications incorporated in the said Application for Federal Assistance.

NOW THEREFORE, pursuant to and for the purpose of carrying out the provisions of the Airport and Airway Development Act of 1970, as amended (49 U.S.C. 1701 et seq.), and in consideration of (a) the Sponsor's adoption and ratification of the representations and assurances contained in said Application for Federal Assistance, and its acceptance of this Offer as hereinafter provided, and (b) the benefits to accrue to the United States and the public from the accomplishment of the Project and the operation and maintenance of the Airport as herein provided, THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay, as the United States share of the allowable costs incurred in accomplishing the Project, 90 percent of the allowable project costs.

This Offer is made on and subject to the following terms and conditions:

1. The maximum obligation of the United States payable under this Offer shall be $ 180,000.00.

2. The Sponsor shall:

   a. begin accomplishment of the Project within thirty (30) days after acceptance of this Offer or such longer time as may be prescribed by the FAA, with failure to do so constituting just cause for termination of the obligations of the United States hereunder by the FAA;

   b. carry out and complete the Project without undue delay and in accordance with the terms hereof, the Airport and Airway Development Act of 1970, as amended, and the Regulations of the FAA (14 CFR Part 152) in effect as of the date of acceptance of this Offer; which Regulations are hereinafter referred to as the "Regulations";

   c. carry out and complete the Project in accordance with the plans and specifications and property map, incorporated herein, as they may be revised or modified with the approval of the FAA;

   d. submit all financial reports on an accrual basis and if records are not maintained on an accrual basis, reports may be based on analysis or records or best estimates as required by the Regulations;

   e. monitor performance under the Project to assure that time schedules are being met, projected work units by time periods are being accomplished, and that other performance goals are being achieved as established by the Regulations.

3. The allowable costs of the project shall not include any costs determined by the FAA to be ineligible for consideration as to allowability under the Regulations.

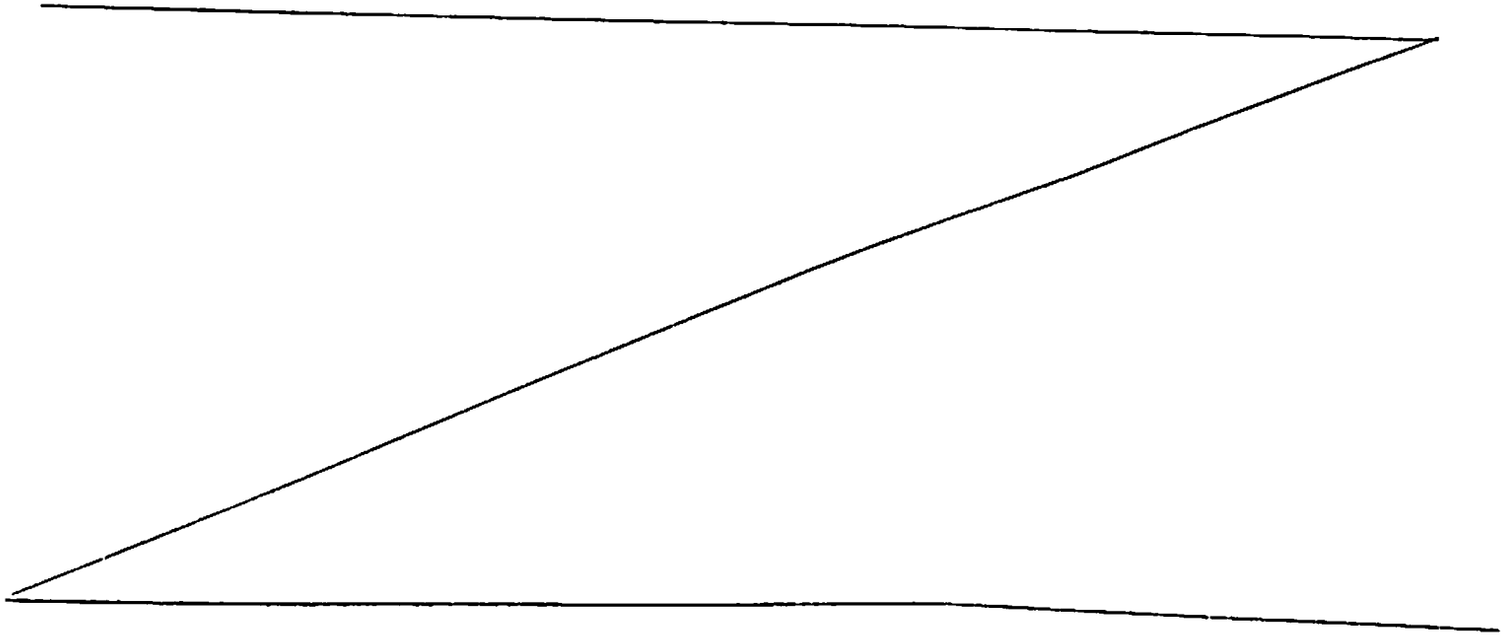
4. Payment of the United States share of the allowable project costs will be made pursuant to and in accordance with the provisions of the Regulations. Final determination of the United States share will be based upon the final audit of the total amount of allowable project costs and settlement will be made for any upward or downward adjustments to the Federal share of costs. The grant closeout requirements will be in accordance with the Regulations.

5. The sponsor shall operate and maintain the airport as provided in the Application for Federal Assistance incorporated herein and specifically covenants and agrees in accordance with its Assurance 20 in Part V of said Application for Federal Assistance, and Section 30 of the Airport and Airway Development Act, as amended, that in its operation and the operation of all facilities thereof, neither it nor any person or organization occupying space or facilities thereon will discriminate against any person by reason of race, color, creed, national origin or sex in the use of the facilities provided for the public on the airport.

6. The FAA reserves the right to amend or withdraw this offer at any time prior to its acceptance by the sponsor.

7. This offer shall expire and the United States shall not be obligated to pay any part of the costs of the project unless this offer has been accepted by the sponsor on or before September 30, 1981 or such subsequent date as may be prescribed in writing by the FAA.

8. The sponsor agrees to comply with the Part V, Assurances, attached to this offer which replaces the Part V, Assurances, that accompanied the project application.



9. The Sponsor hereby agrees and convenants that any and all flood insurance coverage required by the Flood Disaster Protection Act of 1973 (P.L. 93-234), with respect to the buildings and/or personal property to be constructed and/or acquired under this project will be purchased prior to the acquisition or construction of any insurable interest and shall be maintained during the useful life of such buildings or personal property.

10. It is understood and agreed that no part of the Federal share of an airport development project for which a grant is made under the Airport and Airway Development Act of 1970, as amended (49 U.S.C. 1701 et seq.), or under the Federal Airport Act, as amended (49 U.S.C. 1101 et seq.), shall be included in the rate base in establishing fees, rates, and charges for users of the airport.

11. The Sponsor hereby agrees that it will incorporate or cause to be incorporated into any contract in excess of $10,000.00 for construction work, or modification thereof, as defined in the regulations of the Secretary of Labor at 41 CFR Chapter 60, which is paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to a grant, contract, loan, insurance, or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance, or guarantee the following Equal Opportunity clause:

During the performance of this contract, the contractor agrees as follows:

a. The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, sex or national origin. Such action shall include, but not be limited to, the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination, rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

b. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.

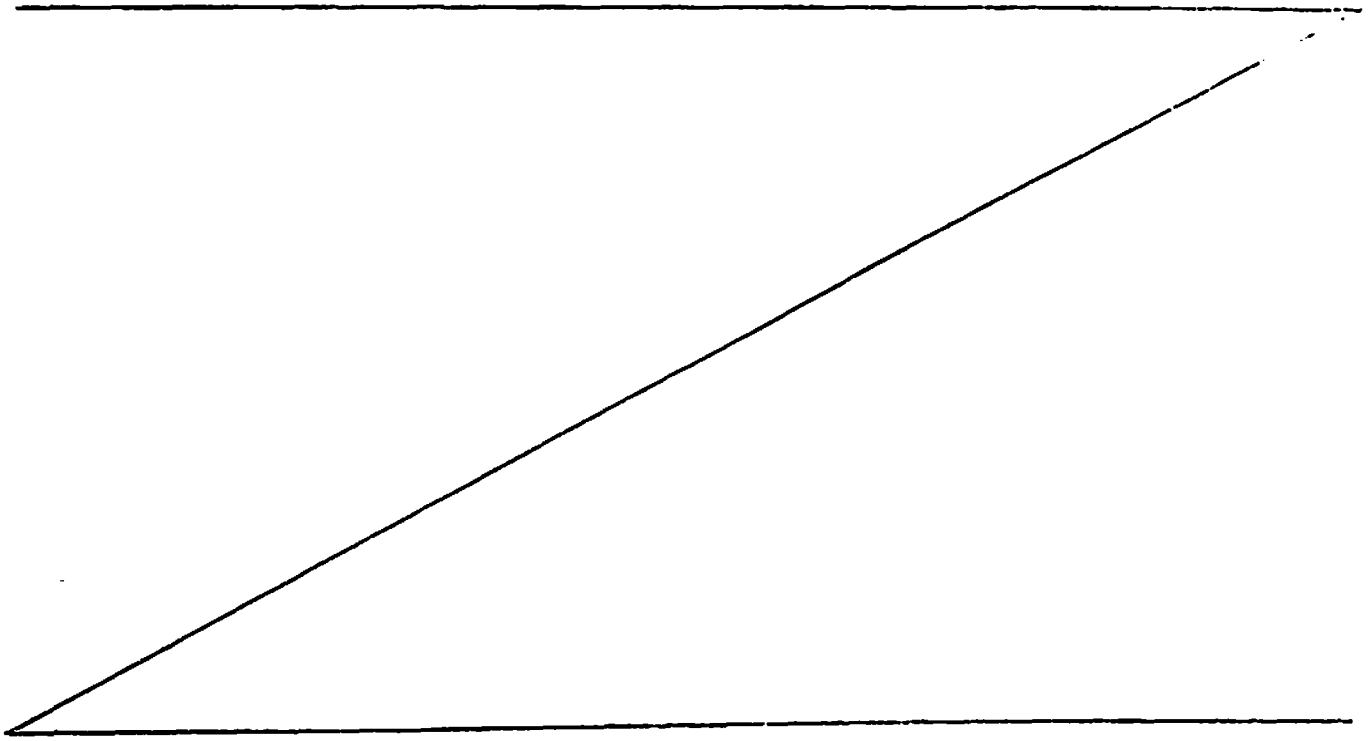
c. The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

d. The contractor will comply with all provisions of Executive Order 11246 of 24 September 1965, and of the rules and regulations, and relevant orders of the Secretary of Labor.

e. The contractor will furnish all information and reports required by Executive Order 11246 of September 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

f. In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be cancelled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of 24 September 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 1965, or by rules, regulations, or orders of the Secretary of Labor, or as otherwise provided by law.

g. The contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of 24 September 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions, for noncompliance; provided, however, that in the event a contractor becomes involved in, or is threatened with litigation with a subcontractor or vendor as a result of such direction by the administering agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.



12. The Federal Government does not now plan or contemplate the construction of any structures pursuant to paragraph 27 of Part V, Assurances, of the Application dated August 18, 1981 and therefore it is understood and agreed that the sponsor is under no obligation to furnish any new areas or new rights without cost to the Federal Government under this grant agreement. However, it is agreed and understood that the rights of the United States to cost free areas obtained under unexpired grant agreements with the sponsor are extended for twenty years from the date of this grant agreement. Furthermore, the responsibility for paying the cost of relocating any facilities located in such cost free areas shall be made in accordance with Advisory Circular 150/5300-7B, FAA Policy of Facility Relocations Occasioned by Airport Improvements or Changes.

13. It is hereby understood and agreed by and between the parties hereto (that the Sponsor will acquire a fee title or such lesser property interest as may be found satisfactory to the FAA to Parcels F1, F2, H1, H2 and H3, as shown on the property map attached hereto and identified as Exhibit "A"; and) that the United States will not make nor be obligated to make any payments involving said parcels as shown on the property map attached hereto and identified as Exhibit "A" until the Sponsor has submitted evidence that it has acquired a fee title or such lesser property interest as may be found satisfactory to the FAA in and to said parcels (or any portion thereof for which grant payment is sought) subject to no liens, encumbrances, reservations or exceptions which in the opinion of the FAA might create an undue risk of interference with the use and operation of the airport.

14. By its acceptance hereof, the Sponsor covenants and agrees that with respect to Parcels F1, F2, H1, H2 and H3, as shown on Exhibit "A", it will clear any of said Parcels acquired in fee of any existing structures, prior to final payment under the project and that it will neither erect nor permit the erection of any permanent structures therein except those required for aids to air navigation or those which may be specifically approved by the FAA; further, if a lesser interest other than fee is acquired in said parcels the Sponsor agrees it will clear said parcels of any existing structure or any natural growth which constitutes an obstruction to air navigation within the standards established by Part 77 of the Federal Aviation Regulations; and further, the Sponsor covenants that it will control the subsequent erection of structures and control natural growth to the extent necessary to prevent the creation of obstructions within said standards.

15. It is understood and agreed by and between the parties hereto that this Grant Offer is made and accepted upon the basis of preliminary plans and specifications; and the parties hereby covenant and agree that within ninety 90 days from the date of acceptance of this Grant Offer the Sponsor shall furnish final plans and specifications to the FAA and that no construction work will be commenced hereunder nor will there be any advertisement for bids for accomplishment of such work until the said final plans and specifications have been approved by the FAA; and the parties do hereby further covenant and agree that any reference made in this Grant Offer or in the aforesaid Application to plans and specifications shall be considered as having reference to said final plans and specifications as so approved.

The Sponsor's acceptance of this Offer and ratification and adoption of the Application for Federal Assistance incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and said Offer and Acceptance shall comprise a Grant Agreement, as provided by the Airport and Airway Development Act of 1970, as amended, constituting the obligations and rights of the Unites States and the Sponsor with respect to the accomplishment of the Project and the operation and maintenance of the Airport. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer and shall remain in full force and effect throughout the useful life of the facilities developed under the Project but in any event not to exceed twenty years from the date of said acceptance.

UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION
WESTERN REGION

By .....
(Title)
Chief, Airports Field Office

Part II - Acceptance

The City of Modesto does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in the Application for Federal Assistance and incorporated materials referred to in the foregoing Offer and does hereby accept said Offer and by such acceptance agrees to all of the terms and conditions thereof.

Executed this 28th day of September ,1981.

City of Modesto
(Name of Sponsor)

By .....
GARTH LIPSKY
(SEAL) Title City Manager

Attest: .....
NORRINE COYLE
Title: City Clerk

CERTIFICATE OF SPONSOR'S ATTORNEY

I, ELWYN L. JOHNSON , acting as Attorney for City of Modesto ,
(herein referred to as the "Sponsor") do hereby certify:

That I have examined the foregoing Grant Agreement and the proceedings taken by said Sponsor relating thereto, and find that the Acceptance thereof by said Sponsor has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the State of California and the Regulations and further that, in my opinion, said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at Modesto, CA this 28th day of September ,1981.

By ELWYN L. JOHNSON
Title City Attorney

The applicant hereby assures and certifies that it will comply with the regulations, policies, guidelines, and requirements including Office of Management and Budget Circulars No. A-95 (41 FR 2052), A-102 (42 FR 45828), and FMC 74-4 (39 FR 27133; as amended by 43 FR 50977), as they relate to the application, acceptance, and use of Federal funds for this Federally assisted project. Also, the applicant gives the assurance and certifies with respect to the grant that:

1. Authority of applicant. It possesses legal authority to apply for the grant, and to finance and construct the proposed facilities; that a resolution, motion, or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

2. E.O. 11926 and E.O. 11288. It will comply with the provisions of: Executive Order 11296, relating to evaluation of flood hazards, and Executive Order 11288, relating to the prevention, control, and abatement of water pollution.

3. Sufficiency of funds. It will have sufficient funds available to meet the non-Federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purposes constructed.

4. Construction. It will obtain approval by the appropriate Federal agency of the final working drawings and specifications before the project is advertised or placed on the market for bidding; that it will construct the project, or cause it to be constructed, to final completion in accordance with the application and approved plans and specifications; that it will submit to the appropriate Federal agency for prior approval changes that alter the costs of the project, use of space, or functional layout; that it will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the construction grant program(s) have been met.

5. Supervision, inspection, and reporting. It will provide and maintain competent and adequate architectural engineering supervision and inspection at the construction site to insure that the completed work conforms with the approved plans and specifications; that it will furnish progress reports and such other information as the Federal grantor agency may require.

6. *Operation of facility. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State, and local agencies for the maintenance and operation of such facilities.*

7. Access to records. It will give the grantor agency and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.

8. Access for handicapped. It will conduct its programs and operate its facilities in accordance with the requirements of Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and will assure that no qualified handicapped person shall, solely by reason of his or her handicap be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination, including discrimination in employment, under any grant program or activity that receives funds or benefits from this grant. The sponsor further assures that its programs will be conducted and its facilities operated, in compliance with the requirements imposed by or pursuant to 49 CFR Part 27.

9. Commencement and completion. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the approving Federal agency that funds have been approved and that the project will be prosecuted to completion with reasonable diligence.

10. Disposition of interest. It will not dispose of or encumber its title or other interests in the site and facilities during the period of Federal interest or while the Government holds bonds, whichever is the longer.

11. Civil Rights. It will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and in accordance with Title VI of that Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Applicant, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.

12. Private gain. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

13. Relocation assistance. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and Federally assisted programs.

14. OMB Circular A-102. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with Office of Management and Budget Circular No. A-102.

15. Hatch Act. It will comply with the provisions of the Hatch Act which limit the political activity of employees.

16. Federal Fair Labor Standards Act. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of State and local governments.

17. Effective date and duration. These covenants shall become effective upon acceptance by the Sponsor of an offer of Federal aid for the Project or any portion thereof, made by the FAA and shall constitute a part of the Grant Agreement thus formed. These covenants shall remain in full force and effect throughout the useful life of the facilities developed under this Project, but in any event not to exceed twenty (20) years from the date of said acceptance of an offer of Federal aid for the Project. However, these limitations on the duration of the covenants do not apply to the covenant against exclusive rights and real property acquired with Federal funds. Any breach of these covenants on the part of the sponsor may result in the suspension or termination of, or refusal to grant Federal assistance under, FAA administered programs, or such other action which may be necessary to enforce the rights of the United States under this agreement.

18. Conditions and limitations on airport use. It will operate the Airport as such for the use and benefit of the public. In furtherance of this covenant (but without limiting its general applicability and effect), the Sponsor specifically agrees that it will keep the Airport open to all types, kinds, and classes of aeronautical use on fair and reasonable terms without discrimination between such types, kinds, and classes. Provided, that the Sponsor may establish such fair, equal, and not unjustly discriminatory conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the Airport; And Provided Further, That the Sponsor may prohibit or limit any given type, kind, or class of aeronautical use of the Airport if such action is necessary for the safe operation of the Airport or necessary to serve the civil aviation needs of the public.

19. *Exclusive right*. It

a. *Will not grant or permit any exclusive right forbidden by Section 308(a) of the Federal Aviation Airport Act of 1958 (49 U.S.C. Section 1349(a)) at the Airport, or at any other airport now owned or controlled by it;*

b. Agrees that, in furtherance of the policy of the FAA under this covenant, unless authorized by the Administrator, it will not, either directly or indirectly, grant or permit any person, firm or corporation the exclusive right at the Airport, or at any other airport now owned or controlled by it, to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity.

c. Agrees that it will terminate any existing exclusive right to engage in the sale of gasoline or oil, or both, granted before July 17, 1962, at such an airport, at the earliest renewal, cancellation, or expiration date applicable to the agreement that established the exclusive right; and

d. Agrees that it will terminate any other exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under the Airport and Airway Development Act.

20. Public use and benefit. It agrees that it will operate the Airport for the use and benefit of the public, on fair and reasonable terms, and without unjust discrimination. In furtherance of the covenant (but without limiting its general applicability and effect), the Sponsor specifically covenants and agrees;

a. That in its operation and the operation of all facilities on the Airport, neither it nor any person or organization occupying space or facilities thereon will discriminate against any person or class of persons by reason of race, color, creed, or national origin in the use of any of the facilities provided for the public on the Airport.

b. That in any agreement, contract, lease or other arrangement under which a right or privilege at the Airport is granted to any person, firm, or corporation to conduct or engage in any aeronautical activity for furnishing services to the public at the Airport, the Sponsor will insert and enforce provisions requiring the contractor—

(1) to furnish said services on a fair, equal, and not unjustly discriminatory basis to all users thereof, and

(2) to charge fair, reasonable, and not unjustly discriminatory prices for each unit or service; provided, that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.

c. That it will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft with its own employees (including, but not limited to maintenance and repair) that it may choose to perform.

d. In the event the sponsor itself exercises any of the rights and privileges referred to in subsection b, the services involved will be provided on the same conditions as would apply to the furnishing of such services by contractors or concessionaires of the sponsor under the provisions of such subsection b.

21. Nonaviation activities. Nothing contained herein shall be construed to prohibit the granting or exercise of an exclusive right for the furnishing of nonaviation products and supplies or any service of a nonaeronautical nature or to obligate the sponsor to furnish any particular nonaeronautical service at the airport.

22. Operation and maintenance of the airport. It will operate and maintain in a safe and serviceable condition the airport and all facilities thereon and connected therewith which are necessary to serve the aeronautical users of the airport other than facilities owned or controlled by the United States, and will not permit any activity thereon which would interfere with its use for airport purposes; provided, that nothing contained herein shall be construed to require that the airport be operated for aeronautical uses during temporary periods when snow, flood, or other climatic conditions interfere with such operation and maintenance; repair, restoration, or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the sponsor. In furtherance of this covenant, the sponsor will have in effect at all times arrangements for--

a. Operating the airport's aeronautical facilities whenever required;

b. Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and

c. Promptly notifying airmen of any condition affecting aeronautical use of the airport.

23. Airport hazards. Insofar as it is within its power and reasonable, the sponsor will, either by the acquisition and retention of easements or other interests in or rights for the use of land or airspace or by the adoption and enforcement of zoning regulations, prevent the construction, erection, alteration, or growth of any structure, tree, or other object in the approach areas of the runways of the airport, which would constitute an airport hazard. In addition, the sponsor will not erect or permit the erection of any permanent structure or facility which would interfere materially with the use, operation, or future development of the airport, in any portion of a runway approach area in which the sponsor has acquired, or hereafter acquires, property interests permitting it to so control the use made of the surface of the land.

24. Use of adjacent land. Insofar as it is within its power and reasonable, the Sponsor will, either by the acquisition and retention of easements or other interest in or rights for the use of land or airspace or by the adoption and enforcement of zoning regulations, take action to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations including landing and takeoff of aircraft.

25. Airport layout plan. It will keep up to date at all times an airport layout plan of the airport showing (1) boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes, and proposed additions thereto; (2) the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and roads), including all proposed extensions and reductions of existing airport facilities; and (3) the location of all existing and proposed nonaviation areas and of all existing improvements thereon. Such airport layout plan and each amendment, revision, or modification thereof, shall be subject to the approval of the FAA, which approval shall be evidenced by the signature of a duly authorized representative of the FAA on the face of the airport layout plan. The sponsor will not make or permit any changes or alterations in the airport or in any of its facilities other than in conformity with the airport layout plan as so approved by the FAA, if such changes or alterations might adversely affect the safety, utility, or efficiency of the airport.

26. Federal use of facilities. All facilities of the airport developed with Federal aid and all those usable for the landing and taking off of aircraft, will be available to the United States at all times, without charge, for use by government aircraft in common with other aircraft, except that if the use by government aircraft is substantial, a reasonable share, proportional to such use, of the cost of operating and maintaining facilities so used, may be charged. Unless otherwise determined by the FAA, or otherwise agreed to by the sponsor and the using agency, substantial use of an airport by government aircraft will be considered

to exist when operations of such aircraft are in excess of those which, in the opinion of the FAA, would unduly interfere with use of the landing area by other authorized aircraft, or during any calendar month that —

a. Five (5) or more government aircraft are regularly based at the airport or on land adjacent thereto; or

b. The total number of movements (counting each landing as a movement and each takeoff as a movement) of government aircraft is 300 or more, or the gross accumulative weight of government aircraft using the airport (the total movements of government aircraft multiplied by gross weights of such aircraft) is in excess of tive million pounds.

27. Areas for FAA use. Whenever so requested by the FAA, the sponsor will furnish without cost to the Federal Government, for construction, operation, and maintenance of facilities for air traffic control activities, or weather reporting activities and communication activities related to air traffic control, such areas of land or water, or estate therein, or rights in buildings of the sponsor as the FAA may consider necessary or desirable for construction at Federal expense of space or facilities for such purposes. The approximate amounts of areas and the nature of the property interests and/or rights so required will be set forth in the grant agreement relating to the project. Such areas or any portion thereof will be made available as provided herein within four months after receipt of written requests from the FAA.

28. Fee and rental structure. The airport operator or owner will maintain a fee and rental structure for the facilities and services being provided the airport users which will make the airport as self-sustaining as possible under the circumstances existing at the airport, taking into account such factors as the volume of traffic and economy of collection.

29. Reports to FAA. It will furnish the FAA with such annual or special airport financial and operational reports as may be reasonably requested. Such reports may be submitted on forms furnished by the FAA, or may be submitted in such manner as tne sponsor elects so long as the essential data are furnished. The airport and all airport records and documents affecting the airport, including deeds, leases, operations and use agreements, regulations, and other instruments, will be made available for inspection and audit by the Secretary and the Comptroller General of the United States, or their duly authorized representatives, upon reasonable request. The sponsor will furnish to the FAA or to the General Accounting Office, upon request, a true copy of any such document.

30. System of Accounting. All project accounts and records will be kept in accordance with a standard system of accounting if so prescribed by the Secretary.

31. *Interfering right. If, at any time, it is determined by the FAA that there is any outstanding right or claim of right in or to the airport property, other than those set forth in Part II of the Application for Federal Assistance, the existence of which creates an undue risk of interference with the operation of the airport or the performance of the covenants of this Part, the sponsor will acquire, extinguish, or modify such right or claim or right in a manner acceptable to the FAA.*

32. Performance obligation. It will not enter into any transaction which would operate to deprive it of any of the rights and powers necessary to perform any or all of the covenants made herein, unless by such transaction the obligation to perform all such covenants is assumed by another public agency found by the FAA to be eligible under the Act and regulations to assume such obligations and having the power, authority, and financial resources to carry out all such obligations. If an arrangement is made for management or operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to insure that the airport will be operated and maintained in accordance with the Act, the regulations and these covenants.

33. Meaning of terms. Unless the context otherwise requires, all terms used in these covenants which are defined in the Act and the regulations shall have the meanings assigned to them therein.

34. Audit. It will provide for audit of this grant project to be made in accordance with Attachment P of Office of Management and Budget Circular A-102.

35. Section 30.

a. It will undertake an affirmative action program, as required by 14 CFR Part 152, Subpart E, to ensure that no person shall, on the grounds of race, creed, color, national origin, or sex, be excluded from participating in any employment, contracting, or leasing activities covered in 14 CFR Part 152, Subpart E. The sponsor assures that no person shall be excluded, on these grounds, from participating in or receiving the services or benefits of any program or activity covered by this subpart. The sponsor assures that it will require that its covered organizations provide assurance to the sponsor that they similarly will undertake affirmative action programs and that they will require assurances from their suborganizations, as required by 14 CFR Part 152, Subpart E, to the same effect.

b. It agrees to comply with any affirmative action plan or steps for equal employment opportunity required by 14 CFR Part 152, Subpart E, as part of the affirmative action program or by any Federal, State, or local agency or court, including those resulting from a conciliation agreement, a consent decree, court order, or similar mechanism. The sponsor agrees that State or local affirmative action plan will be used in lieu of any affirmative action plan or steps required by 14 CFR Part 152, Subpart E, only when they fully meet the standards set forth in 14 CFR 152.409. The sponsor agrees to obtain a similar assurance from its covered organizations, and to cause them to require a similar assurance of their covered suborganizations, as required by 14 CFR Part 152, Subpart E.

36. Minority Business Enterprise (MBE).

a. It is the policy of the Department of Transportation that minority business enterprises as defined in 49 CFR Part 23 shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this agreement. Consequently, the MBE requirements of 49 CFR Part 23 apply to this agreement.

b. The sponsor or its contractor agrees to ensure that minority business enterprises, as defined in 49 CFR Part 23, have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this agreement. In this regard, the sponsor or its contractors shall take all necessary and reasonable steps in accordance with 49 CFR Part 23 to ensure that minority busines enterprises have the maximum opportunity to compete for and perform contracts. The sponsor and its contactors shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of DOT-assisted contracts.

c. If, as a condition of assistance, the sponsor has submitted and the Department has approved a minority buiness enterprise affirmative action program which the sponsor agrees to carry out, this program is incorporated in this financial assistance agreement by reference. This program shall be treated as a legal obligation and failure to carry out its terms shall be treated as a violation of this financial assistance agreement. Upon notification to the sponsor of its failure to carry out the approved program, the Department shall impose such sanctions as noted in 49 CFR Part 23, Subpart E, which sanctions may include termination of the agreement or other measures which may affect the ability of the sponsor to obtain future DOT financial assistance.

d. The sponsor agrees to advise such subrecipient, contractor, or subcontractor that failure to carry out the requirements in 49 CFR Part 23, paragraph 23.43(a), shall constitute a breach of contract and, after notification of the Department, may result in termination of the agreement or contract by the sponsor or such remedy as the sponsor deems appropriate.

e. Concerning lessees, the sponsor agrees that it shall not exclude MBEs from participation in business opportunities by entering into long-term, exclusive agreements with non-MBEs for the operation of major transportation-related activities or major activities for the provision of goods and services to the facility or to the public on the facility as set forth in 49 CFR Part 23.

37. Equal Opportunity Clause.

a. It agrees that it will be bound by the equal opportunity clause of 41 CFR Part 60-1.4 with respect to its own employment practices when it participates in Federally assisted construction work: provided

that if the applicant so participating is a state or local government, the equal opportunity clause is not applicable to any agency, instrumentality, or subdivision of such Government which does not participate in work on or under the contract.

b. It agrees that it will assist and cooperate actively with the FAA and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and rules, regulations, and relevant orders of the Secretary of Labor, that it will furnish the FAA and the Secretary of Labor such information as may be required for the supervision of such compliance, and that it will otherwise assist the FAA in the discharge of the agency's primary responsibility for securing compliance.

c. It further agrees that it will refrain from entering into any contract or contract modification, subject to Executive Order 11246, of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and Federally assisted construction contracts pursuant to the Executive Order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontactors by the FAA or the Secretary or Labor pursuant to Part II, Subpart D of the Executive Order. In addition, the sponsor agrees that if it fails or refuses to comply with these undertakings, the FAA may take any or all of the following actions: cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance guarantee); refrain from extending any further assistance to the sponsor under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from the sponsor; or refer the case to the Department of Justice for appropriate legal proceedings.

38. Violating facilities. It will insure that the facilities under its ownership, lease, or supervision which shall be utilized in the accomplishment are not listed on the Environmental Protection Agency's (EPA) list of violating facilities and that it will notify the Federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal activities indicating that a facility to be utilized in the project is under consideration for listing by the EPA.

39. Flood insurance. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1976. Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance

for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.

40. Historic preservation. It will assist the Federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 (16 U.S.C. 469a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such properties, and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.

41. Rates for Air Carriers and Fixed Base Operators. It agrees that (A) each air carrier, authorized to engage directly in air transportation pursuant to Section 401 or 402 of the Federal Aviation Act of 1958, using such airport shall be subject to nondiscriminatory and substantially comparable rates, fees, rentals and other charges and nondiscriminatory conditions as are applicable to all such air carriers which make similar use of such airport and which utilize similar facilities, subject to reasonable classifications such as tenants or nontenants, and combined passenger and cargo flights or all cargo flights, and such classification or status as tenant shall not be unreasonably withheld by any sponsor provided an air carrier assumes obligations substantially similar to those already imposed on tenant air carriers, and (B) each fixed base operator using a general aviation airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed base operators making the same or similar uses of such airport utilizing the same or similar facilities; provision (A) above, shall not require the reformation of any lease or other contract entered into by a sponsor before July 12, 1976; provision (B) above, shall not require the reformation of any lease or other contract entered into by a sponsor before July 1, 1975.

42. Computation of Rates. It is understood and agreed that no part of the Federal share of an airport development project for which a grant is made under the Airport and Airway Development Act of 1970, as amended (49 U.S.C. 1701 et seq.), or under the Federal Airport Act, as amended (49 U.S.C. 1101 et seq.), shall be included in the rate base in establishing fees, rates, and charges for users of the airport.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-881

A RESOLUTION GRANTING THE APPEAL OF DELTA BLOOD BANK FROM THE DECISION OF THE BOARD OF ZONING ADJUSTMENT DENYING A VARIANCE FROM SIDE AND REAR YARD LANDSCAPING REQUIREMENTS FOR DEVELOPMENT AT THE SOUTHWEST CORNER OF MARTIN AVENUE AND WEST ORANGEBURG AVENUE.

WHEREAS, Delta Blood Bank applied for approval of a blood bank building and parking area in the P-O Zone, and for a variance from side and rear yard landscaping requirements at the southwest corner of Martin Avenue and West Orangeburg Avenue, and

WHEREAS, the plot plan and elevation plans for the project and the variance were reviewed at a public hearing by the Board of Zoning Adjustment at its meeting on August 27, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, after holding said public hearing the Board of Zoning Adjustment adopted Resolution No. 1001 finding and determining that the applicant had failed to demonstrate the existence of the four conditions for a variance as required by Section 10-2.2003 of the Modesto Municipal Code and said Board therefore denied the application of Delta Blood Bank for a variance, and

WHEREAS, the Board of Zoning Adjustment by said Resolution No. 1001 approved the plot plan for said blood bank building and parking area subject to those conditions contained in said Resolution No. 1001, and

WHEREAS, an appeal to the decision of the Board of Zoning Adjustment denying the application for a variance from the side and rear yard landscaping requirements was filed with the City Council of the City of Modesto by R. L. DuBois, Executive Director of Delta Blood Bank, by a letter dated September 4, 1981, and

WHEREAS, said appeal was set for hearing before the City Council of the City of Modesto in the Council Chambers, City Hall, 801 11th Street, Modesto, California, at 4:00 p.m. on Tuesday, October 6, 1981, and

WHEREAS, a public hearing was held at said time and place and evidence, both oral and documentary, was presented and considered, and

WHEREAS, the Council found and determined that the appeal of Delta Blood Bank to the decision of the Board of Zoning Adjustment denying the application for a variance should be granted for the following reasons, and the decision of the Board of Zoning Adjustment should be overruled:

1. There are exceptional or extraordinary circumstances or conditions applicable to the property involved because the building has windowless walls toward the subject portion of the side and rear yards. Furthermore, existing and proposed six (6') foot walls and gates visually screen the subject portion of the side and rear yards from view.

2. Such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone because planting and maintenance of landscaping that are visible by no one are normally not required for developments.

3. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located.

4. That the granting of such variance will not adversely affect the comprehensive general plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby find and determine that the appeal filed by Delta Blood Bank to the decision of the Board of Zoning Adjustment denying the application for a variance from side and rear yard landscaping requirements for development at the southwest corner of Martin Avenue and West Orangeburg Avenue should be granted for the reasons set forth above, and that the decision of the Baord of Zoning Adjustment denying the variance is hereby overruled.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Patterson, Mayor Mensinger

NOES: Councilmembers: Siefkin

ABSENT: Councilmembers: Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-882

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (318).

WHEREAS, a verified application for an amendment to Section 5-4-9 of the Zoning Map was filed by Joe D. Morris on July 10, 1981, to reclassify from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D, the following described property:

R-2 to P-D

All that certain real property situate in a portion of the Northwest quarter of Section 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 132 feet of Lot 53 of Sunset Acres, as per map thereof filed in the office of the Recorder of Stanislaus County, California, on January 14, 1911, in Volume 5 of Maps, page 25.

WHEREAS, after public hearing held on August 31, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed 8 unit condominium project falls far below the density limitations of the R-2 Zone.
2. The proposed P-D project will allow for ownership of new housing for the area.
3. The conditions of approval and the required homeowners association should assume good maintenance of the development.

WHEREAS, after a public hearing held on October 6, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Joe D. Morris for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2086-C.S. on the 6th day of October, 1981, reclassifying the above-described property from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D (318).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(318) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan (and floor plans) titled "Site Plan 624 Roselawn Avenue" as amended in red, stamped approved by the Planning Commission on August 31, 1981.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code.

3. Fencing shall be constructed prior to occupancy and shall be as follows:

   a. Six foot board fence with decorative masonry pilasters along the north, south and west property lines.

   b. Seven foot solid wall or fence between units separating private yard areas.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. The developer shall dedicate and/or improve sufficient right-of-way as required by the Director of Public Works to complete Roselawn Avenue to a collector street standard prior to occupancy or upon demand by the City, whichever occurs first.

6. All private streets and parking areas shall be constructed in accordance with the standard structural section for residential streets as contained in the City of Modesto Standard Specifications.

7. Drainage shall be provided as required by the Director of Public Works.

8. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

9. All utilities shall be underground and cable television service shall be stubbed into all units.

10. All signs shall comply with the sign requirements of the R-2 Zone.

11. Prior to the issuance of a building permit for any structure, a subdivision map shall be recorded.

12. All curbcuts serving two-way driveways shall be widened to 41 feet in width.

13. The applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. Hydrants shall be installed and operable prior to construction of any structures.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (318):

The entire construction program shall be accomplished in one phase:

Construction to begin on or before October 31, 1983, and completion to be not later than October 31, 1985.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (318) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Richards
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-883

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 5-4-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (JOE D. MORRIS)

WHEREAS, on October 6, 1981, the City Council introduced Ordinance No. 2086 - C.S. giving approval to a project relating to an amendment to Section Map 5-4-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(318), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 5-4-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(318).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-884

A RESOLUTION DECLARING THAT A SUFFICIENT PROTEST HAS NOT BEEN MADE AGAINST THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS BEVERLY-HARRIS ANNEXATION TO THE CITY OF MODESTO AND ORDERING THE ANNEXATION OF SAID TERRITORY.

WHEREAS, by Resolution No. 81-811, adopted on September 15, 1981, the Council of the City of Modesto initiated proceedings to annex to the City of Modesto certain uninhabited territory known as Beverly-Harris Annexation to the City of Modesto, and

WHEREAS, by said Resolution No. 81-811, the Council fixed the 6th day of October, 1981, at the hour of 4:00 o'clock P.M., in the Council Chanbers at the City Hall, located at 801 11th Street in the City of Modesto as the time and place for hearing protests against said annexation, and

WHEREAS, a copy of said Resolution No. 81-811 was duly published in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and in the County of Stanislaus, and being the official newspaper of the City of Modesto, said publications being commenced at least fifteen (15) days prior to the date set for the hearing, and

WHEREAS, the City Clerk has given notice to all persons legally entitled thereto, in the manner required by law, and

WHEREAS, on the 6th day of October, 1981, at the hour of 4:00 o'clock P.M., in the Council Chambers at the City Hall, 801 11th Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation, and

WHEREAS, written protests have not been filed by the owners of fifty (50%) percent of the total assessed value of land and improvements within the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and

private owners of one-half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by Resolution dated August 19, 1981, ordered that a negative declaration be filed as to the environmental effect of the subject annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All of the requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the Beverly-Harris Annexation to the City of Modesto, is uninhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. Said territory is hereby annexed to and made a part of the City of Modesto.

5. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate

of completion by the LAFCO executive officer.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of the subject annexation is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of said annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Roo Campbell
Public Works Department

BEVERLY-HARRIS ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 31, Township 3 South, Range 9 East, and the Northwest quarter of Section 6, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the most Northerly corner of the PARADISE-WADE ANNEXATION (381) as per description filed August 22, 1978 as Instrument 11378, Stanislaus County Records, said point being on the center line of 50.00 foot Paradise Road and on the North-South quarter section line in said Section 6;

1. thence along the existing City Limits and the center line of Paradise Road on the Northwestern boundary of said Addition (381), South 49° 55' 00" West, 461.54 feet;

2. thence leaving the existing City Limits and the center line of Paradise Road, North 40° 05' 00" West, 262.16 feet;

3. thence South 49° 55' 00" West, 10.00 feet;

4. thence North 40° 05' 00" West, 48.95 feet, to a point on the Southern line of 40.00 foot Beverly Drive;

5. thence along said Southern line of Beverly Drive, South 89° 30' 00" West, 13.07 feet;

6. thence North 00° 13' 00" West, 253.10 feet;

7. thence North 89° 30' 00" East, 148.14 feet, to the center line of 40.00 foot Ritsch Lane;

8. thence along said center line of Ritsch Lane, South 00° 13' 00" East, 69.60 feet;

9. thence North 89° 30' 00" East, 268.14 feet;

10. thence North 00° 13' 00" West, 100.00 feet;

11. thence South 89° 30' 00" West, 60.00 feet;

12. thence North 00° 13' 00" West, 285.99 feet;

13. thence North 89° 30' 00" East, 13.145 feet;

14. thence North 00° 13' 00" West, 150.00 feet;

15. thence South 89° 30' 00" West, 13.145 feet;

16. thence North 00° 13' 00" West, 116.29 feet;

17. thence South 89° 30' 00" West, 8.145 feet;

18. thence North 00° 13' 00" West, 117.00 feet, to a point on the section line common to said Sections 6 and 31;

19. thence along said section line common to Sections 6 and 31, South 89° 30' 00" West, 212.92 feet;

20. thence North 00° 28' 45" West, 259.03 feet;

21. thence North 89° 40' 00" East, 121.00 feet;

22. thence South 89° 23' 00" East, 319.43 feet, to the North-South quarter section line in said Section 31, and center line of 60.00 foot Harris Avenue;

23. thence along said North-South quarter section line in Section 31 and said center line of Harris Avenue, South 00° 13' 00" East, 252.46 feet, to the South quarter section corner in Section 31 and the North quarter section corner in said Section 6;

24. thence along the North-South quarter section line in Section 6 and the center line of Harris Avenue, South 00° 13' 00" East, 892.08 feet, to the point of beginning, containing 10.170 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-885

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (WOODLAND-BENNETT ANNEXATION)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on August 25, 1981, duly adopted Resolution No. 81-752 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 224 be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, October 6, 1981, at the hour of 4:00 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the

Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 224 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 224 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 224, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 224, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

130/000-00160-01/15/79

February 23, 1981
Corrected April 29, 1981

CITY OF MODESTO
WOODLAND-BENNETT
ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 24, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described ad follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the ROSEMORE-WOODLAND ADDITION (347) as per description filed October 14, 1976, as Instrument 19721, Stanislaus County Records, said point being on the South line of Section 24 and the center line of 40 foot Woodland Avenue;

1. thence along the existing City Limits on the boundary of ADDITION (347) the following bearings and distances, North 01° 06' 52" West, 190.00 feet;

2. thence North 88° 36' 41" East, 15.00 feet;

3. thence North 01° 06' 52" West, 173.00 feet;

4. thence North 88° 36' 41" East, 118.00 feet;

5. thence North 01° 06' 52" West, 300.84 feet;

6. thence leaving the existing City Limits, North 88° 34' 55" East, 155.00 feet;

7. thence South 01° 06' 52" East, 663.92 feet, to the South line of Section 24 and the center line of 40 foot Woodland Avenue;

8. thence along said South line and center line, South 88° 36' 41" West, 288.00 feet, to the point of beginning, containing 3.411 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on October 6, 1981, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Elliott, seconded by Councilmember Lang, and adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: October 6, 1981

Norrine Coyle

City Clerk of the City of Modesto, California

(SEAL)

Woodland-Bennett Annexation

MODESTO CITY COUNCIL
RESOLUTION NO. 81-886

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR SITE IMPROVEMENTS AT PUMP STATION NO. 14 ON VIRGINIA AVENUE, BLOCK 718

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for site improvements at Pump Station No. 14 on Virginia Avenue, Block 718

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 20, 1981, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-887

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING REPLACEMENT FIRE HOSE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing replacement fire hose copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 27, 1981, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-888

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE FORKLIFT AND ONE TRACTOR

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing one forklift and one tractor

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 3, 1981, at 2:15 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-889

A RESOLUTION ACCEPTING THE BID OF SAFE-T-LITE FOR ANNUAL REQUIREMENTS OF STREET NAME SIGNS

WHEREAS, Resolution No. 81-765, adopted by the Council of the City of Modesto on September 1, 1981, approved the plans and specifications for the annual requirements of street name signs and authorized the calling for bids; and

WHEREAS, the bids received for the annual requirements of street name signs were opened at 2:10 p.m. on September 22, 1981, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Safe-T-Lite for an estimated cost of $7,500 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Safe-T-Lite for an estimated cost of $7,500 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-890

A RESOLUTION REJECTING ALL BIDS FOR FURNISHING THREE TURF TRUCKS, AND OPENED IN THE OFFICE OF THE CITY CLERK ON SEPTEMBER 22, 1981 AT 2:00 P.M., AND AUTHORIZING NEW CALL FOR BIDS

WHEREAS, Resolution No. 81-746 adopted by the Council of the City of Modesto on August 25, 1981, approved the plans and specifications for furnishing three turf trucks, and authorized the call for bids; and

WHEREAS, the bids received for the furnishing of three turf trucks were opened at 2:00 p.m. on September 22, 1981, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, because of the manner in which City of Modesto specifications were worded and the fact that Cushman Motors introduced a new line of turf and industrial vehicles for 1982, all bids received did not meet specifications; and

WHEREAS, in all fairness to the vendors, it is the recommendation of staff that all bids be rejected and council authorize new bids to be opened.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all bids received for furnishing three turf trucks,and opened in the office of the City Clerk on September 22, 1981, are hereby rejected.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that new call for bids for furnishing three turf trucks, to be opened November 10, 1981, at 2:00 p.m., is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1981, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-891

A RESOLUTION REJECTING ALL BIDS RECEIVED FOR FURNISHING AND INSTALLING ONE DRILL TOWER SAFETY NET

WHEREAS, Resolution No. 81-640, adopted by the Council of the City of Modesto on July 28, 1981, approved the plans and specifications for furnishing one drill tower safety net, and authorized the call for bids; and

WHEREAS, the bids received for the furnishing of one drill tower safety net were opened at 2:00 p.m. on September 1, 1981, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, from the several fire equipment distributors contacted in California, only two vendors responsed, both of which were disqualified because one did not meet City specifications, and the other was not signed; and

WHEREAS, the Fire Department has reviewed the proposals received and has concluded that the cost for this project would exceed funds budgeted in the 1981-82 Capital Improvement Project Fund, and therefore recommendsthat all bids for the drill tower safety net be rejected and that no further attempts be made to rebid the project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all bids received for furnishing one drill tower safety net, and opened in the office of the City Clerk on September 1, 1981, are hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1981, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-892

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING LOCAL GOVERNMENT AND POLICE RADIO EQUIPMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing local government and Police radio equipment

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 3, 1981, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-893

A RESOLUTION ACCEPTING THE BID OF THE FLINTKOTE COMPANY FOR THE IMPROVEMENT OF SCENIC DRIVE AT WYCLIFFE DRIVE

WHEREAS, Resolution No. 81-766, adopted by the Council of the City of Modesto on September 1, 1981, approved the plans and specifications for the improvement of Scenic Drive at Wycliffe Drive and authorized the calling for bids; and

WHEREAS, the bids received for the improvement of Scenic Drive at Wycliffe Drive were opened at 11:00 a.m. on September 22, 1981 and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of The Flintkote Company in the amount of $11,595 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of The Flintkote Company in the amount of $11,595 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-894

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINE EXTENSION IN KANSAS AVENUE AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of waterline extension in Kansas Avenue has been completed by Mac's Backhoe Service

in accordance with the contract agreement dated July 7, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterline extension in Kansas Avenue be accepted from said contractor, Mac's Backhoe Service;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $25,119 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-895

A RESOLUTION ACCEPTING THE CONSTRUCTION OF STANDIFORD AVENUE AT HETCH HETCHY RIGHT OF WAY AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** Standiford Avenue at the Hetch Hetchy right of way **has been completed by** The Flintkote Company

in accordance with the contract agreement dated June 23, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of Standiford Avenue at Hetch Hetchy right of way **be accepted from said contractor,** The Flintkote Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $81,968.79 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th **day of** October, **19**81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-896

A RESOLUTION ACCEPTING THE CONSTRUCTION OF IMPROVEMENTS ON SYLVAN AVENUE BETWEEN MCHENRY AVENUE AND COFFEE ROAD AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** improvements on Sylvan Avenue between McHenry Avenue and Coffee Road **has been completed by** The Flintkote Company

in accordance with the contract agreement dated June 16, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of improvements on Sylvan Avenue between McHenry Avenue and Coffee Road **be accepted from said contractor,** The Flintkote Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $181,405.69 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th **day of** October, **19** 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-897

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF AN EARTHQUAKE-PROOF ELEVATOR IN CITY HALL FROM MONTGOMERY ELEVATOR COMPANY

WHEREAS, the State of California Division of Occupational Safety and Health Administration has mandated that the City Hall elevator be brought into compliance with the Elevator Earthquake Safety Orders; and

WHEREAS, the elevator was manufactured by Montgomery Elevator Company and Montgomery Elevator Company holds a maintenance contract, making advertising for competitive bids unpractical.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure to earthquake-proof the elevator in City Hall is hereby waived.

BE IT FURTHER RESOLVED that the upgrading of the elevator by Montgomery Elevator Company for an extimated cost of $9,741 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1981, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-898

A RESOLUTION APPROVING POLICE DEPARTMENT ASSISTANCE FOR THE JUNIOR CHAMBER OF COMMERCE'S PARADE OF BANDS

WHEREAS, the Modesto Jaycees have requested indirect City assistance from the Police Department for their Parade of Bands to be held October 10, 1981.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that it does hereby approve the request by the Modesto Jaycees for indirect City assistance from the Police Department for their Parade of Bands.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote;

AYES:	Councilmembers:	Bright, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott, Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-899

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WARD CONNERLY AND ASSOCIATES TO ASSIST THE DID AND THE CITY WITH THE STEPS NECESSARY TO ESTABLISH A REDEVELOPMENT AGENCY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Ward Connerly and Associates to assist the DID and the City with the steps necessary to establish a redevelopment agency

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th **day of** October, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-900

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND M.E. GROVER TO HARVEST OLIVES FROM CITY-OWNED TREES LOCATED ON MELLIS PARK, FRANKLIN AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and M.E. Grover to harvest olives from City-owned trees located on Mellis Park, Franklin Avenue

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th **day of** October**, 19**81**, by Councilmember** Siefkin**, who moved its adoption, which motion being duly seconded by Councilmember** Bright**, was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-901

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ELVIN BUCK TO HARVEST ENGLISH WALNUTS FROM CITY TREES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Elvin Buck to harvest english walnuts from City trees at Dryden Municipal Golf Course, Roosevelt Park, City Pump Station No. 14, City Pump Station on Emerald, the Mancini park property, south side of Tuolumne River near Ninth Street bridge approach, and the 3± acres at the northeast corner of Legion Park Drive and Santa Cruz be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th **day of** October, **19**81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-902

A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS PROPERTY

WHEREAS, the City Manager is authorized by Charter Section 801 to sell surplus personal property of the City of Modesto with the approval of the City Council, and

WHEREAS, an estimated 100 cords of wood located at the McClure House, 712 No. McClure Road, Modesto, California, has become surplus to the City's present needs,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The City Manager is hereby authorized and directed to sell the estimated 100 cords of wood located at the McClure House at the price of $40.00 per cord at a public sale starting at 8:00 o'clock a.m. on October 17, 1981, at the McClure House located at 712 No. McClure Road, Modesto, California. Said personal property is hereby found to be surplus.

SECTION 2. The sale shall be conducted by the City Manager or by such person as he may select for this purpose. All wood not sold as provided for above shall be disposed of in such manner as the City Manager deems to be in the best interest of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried

and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-903

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RICHARD E. AND DEANNA J. SALTER FOR WATER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 207 KENDEE ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Richard E. and Deanna J. Salter **for** water service to property outside City limits at 207 Kendee Road, located on the north side of Kendee Road between Crows Landing Rd. and Cascade Ave. **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th **day of** October, **19**81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-904

A RESOLUTION INITIATING PROCEEDINGS FOR THE PROPOSED ANNEXATION OF INHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS HADDON-EL VISTA ANNEXATION TO THE CITY OF MODESTO, AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by the owners of land or registered voters residing within territory in the County of Stanislaus requesting annexation of the Haddon-El Vista Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated September 16, 1981, determined that said territory is inhabited and approved the initiation of proceedings for annexation of said inhabited territory to the City of Modesto pursuant to the Government Code, a copy of which resolution is attached hereto as Exhibit A and made a part hereof by reference, and

WHEREAS, the terms and conditions of the proposed annexation, if any, are set forth in said resolution, and

WHEREAS, the reason or reasons for the proposed annexation in the proposal thereof submitted to the Commission are set forth in page 7 of the application, which page is attached hereto as Exhibit B and made a part hereof by reference, and

WHEREAS, the chief petitioners requesting said annexation as set forth in the application filed with the Commission are:

Name	Address
Phyllis J. Jackson	2317 Bellamy Street, Modesto
Mildred C. Goodrich	2321 Bellamy Street, Modesto
M. F. Garcia, Jr.	2308 Bellamy Street, Modesto

and

WHEREAS, the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situated in the County of Stanislaus, State of California, and has been designated as Haddon-El Vista Annexation to the City of Modesto, the exterior boundaries of which are set forth in the description attached hereto as Exhibit C and made a part hereof by reference, and

WHEREAS, no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described territory to the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED AND NOTICE IS HEREBY GIVEN that the 27th day of October, 19 81, at the hour of 7:30 o'clock P.M. in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto be and is hereby fixed as the time and place for considering said annexation, at which time and place any owner of land or registered voter residing within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed.

1. Any such protest must be in writing, must be filed with the City Clerk at any time before the conclusion of the hearing on the proposed annexation, and must give the name and address of the owner of land with the description and area of such property, in general terms, or the name and address of the registered voter.

2. The City Clerk shall cause a copy of this resolution to be published at least twice, but not more often than once a week in The Modesto Bee, a newspaper

of general circulation, published in the City of Modesto and in the County of Stanislaus and being the official newspaper of the City of Modesto. Said publications shall be commenced at least fifteen (15) days prior to the date set for the hearing.

3. The City Clerk of the City of Modesto shall also cause a copy of this resolution to be mailed to:

(a) Any person who has filed his name and address with the City Clerk and has requested such mailed notice;

(b) The chief petitioners, if any, as indicated in the petition initiating proceedings;

(c) To each affected city, county, and district; and

(d) To the executive officer of the Local Agency Formation Commission.

4. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ken Campbell
Public Works Department

RESOLUTION

Date: September 16, 1981 No. 81-49

Subject: HADDON-EL VISTA ANNEXATION TO THE CITY OF MODESTO

On motion of Commissioner Cannella, Seconded b
Commissioner Draper, and approved by the following vote
Ayes: Commissioners: Cannella, Draper, Condit & Starn
Noes: Commissioners: --
Absent: Commissioners: Ulm and Garcia
Disqualified: Commissioners: Muratore
Abstaining: Commissioners: --

THE FOLLOWING RESOLUTION WAS ADOPTED:

WHEREAS, the Commission has conducted a public hearing on the proposed Haddon-El Vista Annexation to the City of Modesto.

WHEREAS, notice of the said public hearing was given pursuant to Section 35055 of the California Government Code; and

WHEREAS, the Commission has, in evaluating the proposal, considered the report submitted by the Executive Officer and the factors set forth in Section 54796 of the California Government Code;

NOW, THEREFORE, BE IT RESOLVED that the Commission:

1. Find that: (a) the proposal is categorically exempt from the provisions of the California Environmental Quality Act of 1970; (b) the affected territory is inhabited under the provisions of the Municipal Organization Act of 1970; (c) the approval of the proposal would contribute to governmental efficiency and the logical formation of the City of Modesto; (d) the residents of the affected territory could benefit from the services which would be provided or become available upon annexation; and (e) the proposal is consistent with all applicable local general plans.

2. Order that a Notice of Exemption be issued;

3. Designate the proposal as the Haddon-El Vista Annexation to the City of Modesto;

4. Approve the proposal as submitted; and

5. Designate the City of Modesto as the conducting authority, and direct its City Council to initiate annexation proceedings.

I hereby certify that the foregoing is a true and correct copy of a document on file in my office.

GARDNER L. HUTCHINS
Executive Officer, Stanislaus County Local Agency Formation Commission

By ..... Deputy

SEP 1981

Exhibit "A"

proposed for annexation.
(See Attachment B)

IX. JUSTIFICATION OF THE PROPOSAL

Please state the reason(s) the proponents have submitted the application, and explain why it should be approved.

The proponants have submitted this application in order to improve the quality of services in the area and eventually enable the residents/ property owners to hook up to the City Sanitary Sewer System.

HADDON-EL VISTA
ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of Sections 26 and 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southwestern corner of the Riverside No. 5 Addition (269), as per description filed May 5, 1971, as Instrument 16247, Stanislaus County Records;

1. thence along the existing City Limits and the Southern line of said Addition (269), South 89° 57' 10" East, 656.84 feet, to a Northwestern corner of the Riverside Addition (228) as per description filed March 24, 1969, as Instrument 9772, Stanislaus County Records;

2. thence continuing along the existing City Limits and the Western line of said Addition (228), South 00° 34' 45" East, 670.38 feet, to a Northeastern corner of the Glendale-Miller Addition (287), as per description filed May 3, 1972, as Instrument 17664, Stanislaus County Records;

3. thence continuing along the existing City Limits along the Northern line of said Addition (287), and the center line of 60 foot Haddon Avenue, the following bearings and distances, North 89° 56' 10" West, 536.73 feet;

4. thence South 80° 33' 25" West, 121.27 feet to the center line of 60 foot Trask Lane;

5. thence North 89° 56' 10" West, 1313.45 feet to the center line of 60 foot El Vista Avenue and the section line of Section 26 and 27;

6. thence North 89° 46' 00" West, 164.41 feet to a point on the Eastern line of the LaLoma-Yosemite Addition (55) as per description filed December 4, 1953, as Instrument 30045, Stanislaus County Records;

7. thence along the existing City Limits and the Eastern line of said Addition (55), North 00° 36' 30" West, 679.10 feet to a Southwestern corner of the El Vista School Addition (232), as per description filed June 2, 1969, as Instrument 19184, Stanislaus County Records;

8. thence along the Southern line of said Addition (232), and the center line of 60 foot Roble Avenue, South 89° 46' 00" East, 164.34 feet, to the center line of 60 foot El Vista Avenue;

Exhibit "C"

9. thence South 00° 36' 30" East, 109.99 feet, along said center line and the North-South section line of Sections 26 and 27, to the center line of 60 foot Roble Avenue;

10. thence continuing along the existing City Limits, along said center line of Roble Avenue, South 89° 56' 10" East, 656.73 feet, to the center line of 60 foot Colfax Avenue;

11. thence along the Eastern line of said Addition (232) and the center line of said 60 foot Colfax Avenue, North 00° 35' 55" West, 70.90 feet;

12. thence leaving the existing City Limits, along the center of 60 foot Roble Avenue, South 89° 56' 10" East, 656.83 feet, to the center line of 60 foot Trask Lane;

13. thence along said center line North 00° 35' 20" West, 50.19 feet, to the point of beginning, continuing 30.924 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-905

A RESOLUTION GRANTING THE APPEAL OF BRUCE PATTERSON FROM THE DECISION OF THE BOARD OF ZONING ADJUSTMENT AND GRANTING A VARIANCE TO PERMIT COVERED PARKING WITH THREE FOOT SIDE AND REAR YARD SETBACKS AT 1636 HIALEAH DRIVE.

WHEREAS, an application for a variance from the provisions of Sections 10-2.505 and 10-2.509 of the Modesto Municipal Code to permit a carport without side yard or rear yard setbacks at 1636 Hialeah Drive at the southwest corner of Hialeah and Arlington Drive, north of Briggsmore Avenue was filed by Bruce Patterson on August 11, 1981, and

WHEREAS, Sections 10-2.1904(a) and 10-2.2001 of the Modesto Municipal Code authorize the Board of Zoning Adjustment to grant variances subject to findings specified in Section 10-2.2003, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on September 24, 1981 in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, after holding said public hearing the Board of Zoning Adjustment adopted Resolution No. 1011 finding and determining that the applicant had failed to demonstrate the existence of the four conditions for a variance as required by Section 10-2.2003 of the Modesto Municipal Code and denying the requested variance, and

WHEREAS, an appeal to the decision of the Board of Zoning Adjustment was filed with the City Council of the City of Modesto by Bruce Patterson by a letter dated September 28, 1981, and

WHEREAS, said appeal was set for hearing before the City Council of the City of Modesto in the Council Chambers, City Hall, 801 11th Street, Modesto, California, at 7:30 p.m. on Tuesday, October 13, 1981, and

WHEREAS, at said hearing evidence, both oral and documentary, was presented and considered, and

WHEREAS, after said hearing, the Council of the City of Modesto found and determined that the appeal of Bruce Patterson to the decision of the Board of Zoning Adjustment denying his application for a variance should be granted and the decision of the Board of Zoning Adjustment overruled for the following reasons:

1. There are exceptional or extraordinary circumstances or conditions applicable to the property involved due to the irregular shape of the lot and the offset in the alley frontage.

2. Such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone, and denied to the property in question because other nearby dwellings have convered parking facilities and accessory buildings which encroach into setback areas.

3. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located because the carport cover, together with improved rear vehicular access, will provide even greater compatibility with the adjoining neighbors than is presently provided.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby find and determine that the appeal filed by Bruce Patterson to the decision of the Board of Zoning Adjustment denying his application for a variance from the provisions of Sections 10-2.505 and 10-2.509 of the Modesto Municipal Code to permit a carport without side yard or rear yard setbacks at 1636 Hialeah Drive, at the southwest corner of Hialeah and Arlington Drive, north of Briggsmore Avenue, should be granted in part to allow only three (3) foot side and rear yards for the reasons set forth above, and that the decision of the Board

of Zoning adjustment denying the application is hereby overruled; said variance being subject to the following conditions:

1. All development shall conform to the plot plan (and floor plans) titled "A Carport Addition For: Mr. Bruce Patterson" as amended in red, stamped approved by the City Council on October 13, 1981.

2. The applicant shall record a "Notice of Conditions" in the Stanislaus County Recorder's Office on a form available in the Planning and Community Development Department.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin and Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-906

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ANNUAL REQUIREMENTS OF MAINTENANCE PAINT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of annual requirements of maintenance paint

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 3, 1981, at 2:20 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-907

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE REBID OF THE REPIPING OF THE ROSE-CELESTE LIFT STATION

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for rebid of the repiping of the Rose-Celeste lift station

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 27, 1981, at 11:05 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-908

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE INSTALLATION OF LANDSCAPING AND IRRIGATION SYSTEMS FOR VARIOUS WATER PUMP STATIONS AND ONE LIFT STATION

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the installation of landscaping and irrigation systems for various water pump stations and one lift station copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 27, 1981, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-909

A RESOLUTION ACCEPTING THE BID OF GAINES EQUIPMENT COMPANY FOR FURNISHING THREE INDUSTRIAL LOADERS

WHEREAS, Resolution No. 81-747, adopted by the Council of the City of Modesto on August 25, 1981 , approved the plans and specifications for the purchase of industrial loaders

and authorized the calling for bids; and

WHEREAS, the bids received for the industrial loaders

were opened at 2:20 p.m. on September 22, 1981 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Gaines Equipment Company in the amount of $119,250

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Gaines Equipment Company in the amount of $119,250

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October , 1981 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-909A

A RESOLUTION ACCEPTING THE BID OF MODESTO FORD TRACTOR FOR ONE INDUATRIAL LOADER

WHEREAS, Resolution No. 81-747, adopted by the Council of the City of Modesto on August 25, 1981 , approved the plans and specifications for the purchase of industrial loaders and authorized the calling for bids; and

WHEREAS, the bids received for the industrial loaders were opened at 2:20 p.m. on September 22, 1981 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Modesto Ford Tractor in the amount of $18,710 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Modesto Ford Tractor in the amount of $18,710 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October , 1981 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-910

A RESOLUTION ACCEPTING THE BID OF STANDUN CONTROLS, INC. FOR FURNISHING 2 TRAFFIC CONTROLLERS

WHEREAS, Resolution No. 81-638, adopted by the Council of the City of Modesto on July 28, 1981, approved the plans and specifications for the purchase of 2 traffic controllers and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of 2 traffic controllers were opened at 2:00 p.m. on September 29, 1981, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Standun Controls, Inc. in the amount of $19,710.70 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Standun Controls, Inc. in the amount of $19,710.70 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-911

A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE INVERTED SIPHON AT BEARD BROOK PARK AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** the inverted siphon at Beard Brook Park **has been completed by** S & H Insurance Company

in accordance with the contract agreement dated August 14, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of the inverted siphon at Beard Brook Park **be accepted from said contractor,** S & H Insurance Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $78,625 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** October, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-912

A RESOLUTION ACCEPTING THE CONSTRUCTION OF COLLEGE AVENUE FROM BRIGGSMORE TO DAVIS PARK AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** College Avenue from Briggsmore to Davis Park **has been completed by** George Reed, Inc.

in accordance with the contract agreement dated May 12, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of College Avenue from Beiggsmore to Davis Park **be accepted from said contractor,** George Reed, Inc.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $130,104.05 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** October, 19 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-913

A RESOLUTION ACCEPTING THE CONSTRUCTION OF STANDIFORD AVENUE RESTRIPING NEAR COLUMBINE DRIVE AS COMPLETE

WHEREAS, a report has been filed by the Director of Parking and Traffic **that the construction of** Standiford Avenue restriping near Columbine Drive **has been completed by** Riley's Striping Service, Inc.

in accordance with the contract agreement dated June 23, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of Standiford Avenue restriping near Columbine Drive **be accepted from said contractor,** Riley's Striping Service, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $7,475 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** October, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-914

A RESOLUTION APPROVING SUBSTITUTION OF SUBCONTRACTOR BY WILCO CONSTRUCTION COMPANY, CONTRACTOR FOR THE MCHENRY MANSION RESTORATION PROJECT

WHEREAS, the City of Modesto has contracted with Wilco Construction Company for the McHenry Mansion Restoration, Phase I,Project; and

WHEREAS, Wall Heating, Air Conditioning, and Sheet Metal was originally submitted as the subcontractor for the project, but has been unable to obtain the necessary bond and does not object to the selection of another subcontractor to perform the mechanical work.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the substitution of Fowler Heating and Air Conditioning, as subcontractor to perform the mechanical work for the McHenry Mansion Restoration project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-915

A RESOLUTION REJECTING BIDS FOR FURNISHING ONE 1500 GPM FIRE PUMPER TRUCK, AND OPENED IN THE OFFICE OF THE CITY CLERK ON SEPTEMBER 8, 1981, AT 2:00 P.M., AND AUTHORIZING NEW CALL FOR BIDS

WHEREAS, Resolution No. 81-622 adopted by the Council of the City of Modesto on July 21, 1981, approved the plans and specifications for furnishing one 1500 GPM fire pumper truck, and authorized the call for bids; and

WHEREAS, the bids received for the furnishing of one 1500 GPM fire pumper truck were opened at 2:00 p.m. on September 8, 1981, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the one bid received from Van Pelt Fire Truck, was considerably higher than estimates; and

WHEREAS, staff recommends specification modifications and the addition of a new vendor should result in competitive bidding and lower prices.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that all bids received for the furnishing of one 1500 GPM fire pumper truck, and opened in the office of the City Clerk on September 8, 1981, are hereby rejected.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that new call for bids for furnishing one 1500 GPM fire pumper truck to be opened November 17, 1981, at 2:00 p.m., is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-916

A RESOLUTION ACCEPTING THE BID OF LEE WHITE PAVING CO., INC. FOR THE EXTENSION OF HAHN DRIVE TO VENEMAN AVENUE

WHEREAS, Resolution No. 81-861, adopted by the Council of the City of Modesto on September 22, 1981 , approved the plans and specifications for the extension of Hahn Drive to Veneman

and authorized the calling for bids; and

WHEREAS, the bids received for the extension of Hahn Drive to Veneman Avenue

were opened at 11:00 a.m. on October 6, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Lee White Paving Co., Inc., in the amount of $12,587

be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Lee White Paving Co., Inc., in the amount of $12,587

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October , 19 81, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-917

A RESOLUTION WAIVING RENTAL PAYMENTS FOR THE ART CENTER AND GALLERY LOCATED AT 1402 EYE STREET, FOR SIX MONTHS

WHEREAS, the Central California Art League, Inc. has requested that the City waive the rental payments for their art center and gallery at 1402 Eye Street, Modesto, California, due to losses incurred during the past nine months of the City remodeling the building.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that it does hereby waive the rental payments for the art center and gallery at 1402 Eye Street, Modesto, California, for six months.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1981, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Lang, Muratore, Patterson, Mayor Mensinger
NOES:	Councilmembers:	Elliott, Siefkin
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-918

A RESOLUTION REJECTING APPLICATION FOR LEAVE TO PRESENT LATE CLAIM ON BEHALF OF CLAIMANT GARY R. MENDIZZA, RECEIVED IN THE OFFICE OF THE CITY CLERK, CITY OF MODESTO

WHEREAS, an application for leave to present late claim on behalf of the claimant, Gary R. Mendizza, against the City of Modesto was received on October 2, 1981, in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the application for leave to present late claim on behalf of claimant, Gary R. Mendizza, against the City of Modesto, Received on October 2, 1981, in the office of Norrine Coyle, City Clerk, City of Modesto, is hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-919

A RESOLUTION ESTABLISHING RATES AND CONDITIONS FOR PLAY ON THE MODESTO MUNICIPAL GOLF COURSE AND THE DRYDEN PARK MUNICIPAL GOLF COURSE AND RESCINDING RESOLUTION NO. 80-1293.

WHEREAS, the Council finds that golf rates for golfers at its Modesto Municipal Golf Course and the Dryden Park Municipal Golf Course need to be revised,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. RATES. The rates for players upon the Modesto Municipal Golf Course and the Dryden Park Municipal Golf Course are hereby established as follows:

Monthly Unlimited Family Ticket (husband and wife)	$52.00
Monthly Unlimited Individual Ticket	$36.00
Monthly Senior Citizen Ticket	$18.00
Monthly Disabled Retired Ticket	$18.00
Monthly Student Ticket	$18.00
Weekdays, for 9 holes	$ 4.00
Weekdays, for 18 holes	$ 5.50
Weekends and holidays, for 9 holes	$ 4.50
Weekends and holidays, for 18 holes	$ 6.50
Late Afternoon Play	$ 3.50

SECTION 2. TICKETS. (a) Monthly Tickets. Each monthly ticket issued will become invalid on the last day of the month issued and will not be validated for play on the golf courses until the appropriate monthly rate has been paid.

(b) Complimentary Tickets. Complimentary tickets without fee may be issued by or under the direction of the Golf Course Professional to visiting professionals or others, for services rendered, or when in his opinion it will be for the advantage or best interest of the course to issue such complimentary tickets.

(c) Student Tickets. Student tickets are to be issued only upon presentation by holder of a current student body card, and shall be issued only to students who have not yet reached their twenty-first birthday. Student's tickets will not be valid on Saturdays, Sundays, and holidays before noon. Students wishing to play during these periods shall be subject to the regular green fees.

(d) Senior Citizen Tickets. Senior Citizen tickets are to be issued only to persons sixty-five (65) years of age or older. A Medicare card or other proof of age and proof of residency must be displayed to obtain a Senior Citizen ticket. Senior Citizens' tickets will not be valid on Saturdays, Sundays, and holidays. Senior Citizens wishing to play on those days shall be subject to the regular green fees.

(e) Senior Citizen Free Play - 65 or older. Residents of the City of Modesto, sixty-five (65) years of age or older, may play golf at the Municipal Golf Course without a fee if they display their Medicare card or other proof of age and residency to the starters at the Modesto Municipal Golf Course on Wednesdays between the hours of 9:00 A.M. and 3:00 P.M., except on holidays.

(f) Senior Citizen Free Play - 70 or older. Residents of the City of Modesto, seventy (70) years of age or older, may play golf at the Municipal Golf Course without a fee if they display their Medicare card and other proof of age and residency to the starters at the Modesto Municipal Golf Course on Mondays, Tuesdays and Thursdays before the hour of 2:00 P.M., except on holidays.

(g) Retired Disabled Ticket. Retired Disabled tickets are to be issued only to those who are on disability retirement and who display proof of such disability retirement and proof of residency. These tickets will not be valid on Saturdays, Sundays or holidays. Those on disability retirement wishing to play on weekends and holidays shall be subject to the regular fees.

SECTION 3. CHILDREN. No children shall be permitted on the golf course under the age of eight (8) years. Any child from age eight (8) to eleven (11) desiring to play golf shall be accompanied by the parent or adult.

SECTION 4. HOLIDAYS. "Holidays", as used herein, shall mean New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Armistice Day, Thanksgiving Day and Christmas Day.

SECTION 5. SIGNS. The Golf Course Professional be and is hereby authorized and directed to post a sign in a conspicuous place informing all golfers of the established green fees.

SECTION 6. EFFECTIVE DATE. This resolution shall go into effect and be in full force and operation on and after November 1, 1981.

SECTION 7. REPEALS. Resolution No. 80-1293 adopted on December 16, 1980 is hereby rescinded as of November 1, 1981.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-920

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DESIGN CONCEPTS FOR PREPARATION OF PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF FIRE STATION NO. 9

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Design Concepts

for preparation of plans and specifications for the construction of Fire Station No. 9

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** October, **19**81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-921

A RESOLUTION APPROVING THE FINAL MAP OF THE KINGSWOOD ESTATES NO. 5 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Rule Enterprises, a California corporation, is/are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 2.995 acres, known as the Kingswood Estates No. 5 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 2nd day of September, 1980, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Kingswood Estates No. 5 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct, and

WHEREAS, all requirements of the California Subdivision Map Act regarding notice to tenants of the condominium conversion have been complied with, or conditions found excusing such compliance, and

WHEREAS, all public improvements required by the City of Modesto have been completed in said tract,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the improvements completed in said tract be

accepted; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muragore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-922

A RESOLUTION APPROVING THE FINAL MAP OF THE KINGSWOOD ESTATES NO. 6 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Rule Enterprises, a California corporation, is/are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 2.392 acres, known as the Kingswood Estates No. 6 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 2nd day of September, 1980, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Kingswood Estates No. 6 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct, and

WHEREAS, all requirements of the California Subdivision Map Act regarding notice to tenants of the condominium conversion have been complied with, or conditions found excusing such compliance, and

WHEREAS, all public improvements required by the City of Modesto have been completed in said tract,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the improvements completed in said tract be

accepted; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-923

A RESOLUTION AMENDING THE FINAL BUDGET OF THE CITY OF MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 1982, TO PROVIDE FOR THE OPERATION OF A JUVENILE OFFENDERS' DIVERSION PROGRAM.

WHEREAS, the City of Modesto has received approval of State of California Office of Criminal Justice Planning grant funding in the amount of $42,560.00 to operate a Juvenile Offenders' Diversion Program, and

WHEREAS, it is necessary to estimate grant revenues to be received during the current fiscal year and increase appropriations in the City of Modesto 1981-82 Final Budget,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the 1981-82 Final Budget be amended as follows:

Estimated Revenues		Increase
Account 274.03-101	Federal Grant-OJODP	$40,692.00

Appropriation		Increase
Account 110-19-01	Salaries	$33,332.00
Account 188-19-01	Employee Benefits	7,540.00
Account 216-19-01	Rent of Equipment	2,000.00
Account 301-19-01	Office Supplies	350.00
Account 339-19-01	Uniform Allowance	650.00

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 13th day of October, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-924

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE MC HENRY-DRY CREEK FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the McHenry-Dry Creek Fire Protection District in Stanislaus County was annexed to the City of Modesto as Sunnyside No. 2 Annexation to the City of Modesto by Resolution No. 81-857 adopted on September 22, 19 81, and said annexation officially became a part of the City of Modesto on September 30, 19 81, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the McHenry-Dry Creek Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1981.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

SUNNYSIDE NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the Sunnyside Addition (410), as per description filed July 26, 1979 as Instrument 6061, Stanislaus County Records, said point also being on the intersection of the centerline of 50 foot Scenic Drive and the South extension of the East line of Lot 29 of Sunnyside Acres subdivision recorded May 24, 1911 in Volume 5 of Maps, Page 45, Stanislaus County Records;

1. thence along an Eastern line of said Addition (410), North 00° 15' 00" West, 292.38 feet;

2. thence along a Southeastern boundary of said Addition (410), North 75° 23' 52" East, 136.65 feet, to the centerline of 40 foot Sunnyside Avenue

3. thence along an Eastern boundary of said Addition (410) and on the centerline of 40 foot Sunnyside Avenue North 00° 15' 00" West, 646.04 feet, to a Northeastern corner of said Addition (410);

4. thence along a Northern boundary of said Addition (410) North 89° 40' 00" West, 329.62 feet, to a Northeastern corner of the Coffee-Lucern No. 1Addition (343), as per description filed March 26, 1976, as Instrument 44153, Stanislaus County Records;

5. thence along a Northern boundary of said Addition (343), North 89° 40' 00" West, 284.62 feet, to the Eastern line of 90 foot Coffee Road;

6. thence along an Eastern boundary of said Addition (343) on said Eastern line of Coffee Road, North 00° 15' 00" West, 185.00 feet, to a Southwestern corner of Gould Addition (148), as per description filed February 5, 1963, as Instrument 4468, Stanislaus County Records;

7. thence along the Southern boundary of said Addition (148), and along the Northern line of 40 foot Lucern Avenue, South 89° 40' 00" East, 614.24 feet, to the Eastern line of said Addition (148) and the centerline of 40 foot Sunnyside Avenue;

8. thence along the Eastern line of said Addition (148), and along said centerline, North 00° 15' 00" West, 308.35 feet, to the Southern boundary of the Downey High School and John Muir School Addition (33), as per description filed July 27, 1950, as Instrument 16443, Stanislaus County Records;

9. thence along the Southern boundary of said Addition (33) and the Southern line of a 20 foot alley, South 89° 42' 00" East, 264.98 feet, to the Northwestern corner of the Irons Court Addition (380), as per description filed August 18, 1978, as Instrument 10692, Stanislaus County

Records;

10. thence along the Western boundary of said Addition (380), South 00° 17' 30" East, 329.74 feet;

11. thence along the Southern boundary of said Addition (380), South 89° 39' 30" East, 65.91 feet;

12. thence leaving the existing City Limits, South 00° 20' 00" East, 275.0(feet;

13. thence South 89° 40' 00" East, 329.62 feet, to the centerline of 40 foot Brighton Avenue, and a Western boundary of the Strathmore Addition (226), as per description filed February 13, 1969, as Instrument 4972, Stanislaus County Records;

14. thence along a Western line of said Addition (226), and along the centerline of said Brighton Avenue, South 00° 20' 00" East, 566.83 feet, to the centerline of 50 foot Scenic Drive;

15. thence leaving the existing City Limits along said centerline, South 76° 14' 00" West, 74.96 feet;

16. thence continuing along said centerline, South 69° 14' 00" West, 770.31 feet, to the point of beginning containing 17.973 Acres, more or less

MODESTO CITY COUNCIL
RESOLUTION NO. 81-925

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAN AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (SUNNYSIDE NO. 2 ANNEXATION TO THE CITY OF MODESTO)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 81-857 on September 22, 1981, certain territory known as Sunnyside No. 2 Annexation to the City of Modesto, and

WHEREAS, the inclusion of the area contained in Sunnyside No. 2 Annexation to the City of Modesto to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Sunnyside No. 2 Annexation to the City of Modesto (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 225.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, November 17, 1981, at the hour of 4:00 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgement of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 225.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the

Council voting for and against it, to be published once a week for at least two (2) weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) The southeast corner of the annexation at the northwest corner of Scenic Drive and Brighton Avenue.

(2) The south line of the annexation at the northeast corner of Scenic Drive and Sunnyside Avenue.

(3) An eastern line of the annexation at the western side of Brighton Avenue approximately 329 feet north of Scenic Avenue.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address

as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 225, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers None

ABSENT: Councilmembers None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Evelyn Johnson
EVELYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

SUNNYSIDE NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the Sunnyside Addition (410), as per description filed July 26, 1979 as Instrument 6061, Stanislaus County Records, said point also being on the intersection of the centerline of 50 foot Scenic Drive and the South extension of the East line of Lot 29 of Sunnyside Acres subdivision recorded May 24, 1911 in Volume 5 of Maps, Page 45, Stanislaus County Records;

1. thence along an Eastern line of said Addition (410), North 00° 15' 00" West, 292.38 feet;

2. thence along a Southeastern boundary of said Addition (410), North 75° 23' 52" East, 136.65 feet, to the centerline of 40 foot Sunnyside Avenue

3. thence along an Eastern boundary of said Addition (410) and on the centerline of 40 foot Sunnyside Avenue North 00° 15' 00" West, 646.04 feet, to a Northeastern corner of said Addition (410);

4. thence along a Northern boundary of said Addition (410) North 89° 40' 00" West, 329.62 feet, to a Northeastern corner of the Coffee-Lucern No. 1Addition (343), as per description filed March 26, 1976, as Instrument 44153, Stanislaus County Records;

5. thence along a Northern boundary of said Addition (343), North 89° 40' 00" West, 284.62 feet, to the Eastern line of 90 foot Coffee Road;

6. thence along an Eastern boundary of said Addition (343) on said Eastern line of Coffee Road, North 00° 15' 00" West, 185.00 feet, to a Southwestern corner of Gould Addition (148), as per description filed February 5, 1963, as Instrument 4468, Stanislaus County Records;

7. thence along the Southern boundary of said Addition (148), and along the Northern line of 40 foot Lucern Avenue, South 89° 40' 00" East, 614.24 feet, to the Eastern line of said Addition (148) and the centerline of 40 foot Sunnyside Avenue;

8. thence along the Eastern line of said Addition (148), and along said centerline, North 00° 15' 00" West, 308.35 feet, to the Southern boundary of the Downey High School and John Muir School Addition (33), as per description filed July 27, 1950, as Instrument 16443, Stanislaus County Records;

9. thence along the Southern boundary of said Addition (33) and the Southern line of a 20 foot alley, South 89° 42' 00" East, 264.98 feet, to the Northwestern corner of the Irons Court Addition (380), as per description filed August 18, 1978, as Instrument 10692, Stanislaus County

Records;

10. thence along the Western boundary of said Addition (380), South 00° 17' 30" East, 329.74 feet;

11. thence along the Southern boundary of said Addition (380), South 89° 39' 30" East, 65.91 feet;

12. thence leaving the existing City Limits, South 00° 20' 00" East, 275.0 feet;

13. thence South 89° 40' 00" East, 329.62 feet, to the centerline of 40 foot Brighton Avenue, and a Western boundary of the Strathmore Addition (226), as per description filed February 13, 1969, as Instrument 4972, Stanislaus County Records;

14. thence along a Western line of said Addition (226), and along the centerline of said Brighton Avenue, South 00° 20' 00" East, 566.83 feet, to the centerline of 50 foot Scenic Drive;

15. thence leaving the existing City Limits along said centerline, South 76° 14' 00" West, 74.96 feet;

16. thence continuing along said centerline, South 69° 14' 00" West, 770.31 feet, to the point of beginning containing 17.973 Acres, more or less

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on October 13, 1981, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lang, seconded by Councilmember Muratore, and adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: October 13, 1981

Norrine Coyle

City Clerk of the City of Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-926

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE INDUSTRIAL FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Industrial Fire Protection District in Stanislaus County was annexed to the City of Modesto as Whitmore No. 3 Annexation to the City of Modesto by Resolution No. 81-856 adopted on September 22, 1981, and said annexation officially became a part of the City of Modesto on October 2, 1981, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Industrial Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1981.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

CITY OF MODESTO
WHITMORE NO. 3 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 7 and the Southwest quarter of Section 8, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the WHITMORE NO. 2 ANNEXATION (430), as per description filed November 20, 1980, as Instrument 32240, Stanislaus County Records;

1. thence along the existing City Limits on the boundary of said ANNEXATION (430), South 00° 10' 00" East, 151.00 feet;

2. thence continuing along the existing City Limits on said boundary, North 89° 20' 00" West, 32.00 feet;

3. thence leaving the existing City Limits, North 89° 20' 00" West 481.23 feet, to the East line of the Southwest quarter of the Southwest quarter of Section 8;

4. thence along said quarter quarter section line, South 00° 10' 40" West, 1174.84 feet, to the South line of Section 8 and the center line of 40 foot Whitmore Avenue;

5. thence along said South line and center line, North 89° 29' 00" West, 1321.63 feet, to the Southwest corner of Section 8;

6. thence along said center line and the South line of Section 7, North 89° 50' 00" West, 14.00 feet;

7. thence along a line 14.00 feet Westerly and parallel with the West line of Section 8, North 00° 13' 00" East, 1329.41 feet, to the Westerly extension of the Southern line of the Rutherford Tract, as per map filed March 19, 1947 in Volume 16 of Maps, Page 37, Stanislaus County Records;

8. thence along said extension and Southern line, South 89° 20' 00" East, 952.40 feet, to the center line of 60 foot Rutherford Street;

9. thence along said center line, North 00° 13' 00" East, 170.00 feet, to the center line of 60 foot Lassen Avenue;

10. thence along said center line, South 89° 20' 00" East, 1024.67 feet, to the center line of 60 foot Guthrie Street;

11. thence along said center line, South 00° 13' 00" West, 170.00 feet, to a point on the existing City Limits and a Northern line of ANNEXATION (430);

12. thence along the existing City Limits and said Northern line, North 89° 20' 00" West, 130.00 feet, to the point of beginning, containing 46.468 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-927

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAN AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (WHITMORE NO. 3 ANNEXATION TO THE CITY OF MODESTO)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 81-856 on September 22, 1981, certain territory known as Whitmore No. 3 Annexation to the City of Modesto, and

WHEREAS, the inclusion of the area contained in Whitmore No. 3 Annexation to the City of Modesto to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Whitmore No. 3 Annexation to the City of Modesto (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 226.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, November 17, 1981, at the hour of 4:00 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgement of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 226.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the

Council voting for and against it, to be published once a week for at least two (2) weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) A southeast corner of the annexation at the north line of Whitmore Avenue approximately 1336 feet east of the intersection of Whitmore Avenue and Ustick Road.

(2) The southwest corner of the annexation at the northeast corner of the intersection of Whitmore Avenue and Ustick Road.

(3) A northwest corner of the annexation at the east side of Ustick Road approximately 1329 feet north of the intersection of Whitmore Avenue and Ustick Road.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address

as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 226, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers None

ABSENT: Councilmembers None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

CITY OF MODESTO
WHITMORE NO. 3 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 7 and the Southwest quarter of Section 8, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the WHITMORE NO. 2 ANNEXATION (430), as per description filed November 20, 1980, as Instrument 32240, Stanislaus County Records;

1. thence along the existing City Limits on the boundary of said ANNEXATION (430), South 00° 10' 00" East, 151.00 feet;

2. thence continuing along the existing City Limits on said boundary, North 89° 20' 00" West, 32.00 feet;

3. thence leaving the existing City Limits, North 89° 20' 00" West 481.23 feet, to the East line of the Southwest quarter of the Southwest quarter of Section 8;

4. thence along said quarter quarter section line, South 00° 10' 40" West, 1174.84 feet, to the South line of Section 8 and the center line of 40 foot Whitmore Avenue;

5. thence along said South line and center line, North 89° 29' 00" West, 1321.63 feet, to the Southwest corner of Section 8;

6. thence along said center line and the South line of Section 7, North 89° 50' 00" West, 14.00 feet;

7. thence along a line 14.00 feet Westerly and parallel with the West line of Section 8, North 00° 13' 00" East, 1329.41 feet, to the Westerly extension of the Southern line of the Rutherford Tract, as per map filed March 19, 1947 in Volume 16 of Maps, Page 37, Stanislaus County Records;

8. thence along said extension and Southern line, South 89° 20' 00" East, 952.40 feet, to the center line of 60 foot Rutherford Street;

9. thence along said center line, North 00° 13' 00" East, 170.00 feet, to the center line of 60 foot Lassen Avenue;

10. thence along said center line, South 89° 20' 00" East, 1024.67 feet, to the center line of 60 foot Guthrie Street;

11. thence along said center line, South 00° 13' 00" West, 170.00 feet, to a point on the existing City Limits and a Northern line of ANNEXATION (430);

12. thence along the existing City Limits and said Northern line, North 89° 20' 00" West, 130.00 feet, to the point of beginning, containing 46.468 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on October 13, 1981, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lang, seconded by Councilmember Muratore, and adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: October 13, 1981

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-928

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON THE CITY-COUNTY TRANSPORTATION COMMITTEE RECOMMENDATIONS FOR INTRACITY TRANSIT AND DIAL-A-RIDE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 24, 1981 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** the City-County Transportation Committee recommendations for Intracity Transit and Dial-A-Ride.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** October**, 19** 81**, by Councilmember** Lang**, who moved its adoption, which motion being duly seconded by Councilmember** Muratore**, was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-929

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO CONSTRUCTION OF A POSITIVE STORM DRAINAGE SYSTEM TO SERVE THE USTICK DRAINAGE AREA IN THE CITY OF MODESTO

WHEREAS, on October 13, 19 81, the City Council introduced Ordinance No. 2087-C.S. giving approval to a project relating to construction of a positive storm drainage system at Ustick Avenue and Hatch Road to serve the Ustick Drainage Area in the City of Modesto, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to construction of a positive storm drainage system at Ustick Avenue and Hatch Road to serve the Ustick Drainage Area in the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-930

A RESOLUTION APPOINTING MEMBERS OF THE MODESTO YOUTH COMMISSION - CAROLYN TEIXEIRA AND ROBERT HART; AND REAPPOINTING ELLEN BARTON, BECKY BOSWELL AND DENISE WARD

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to the Modesto Youth Commission for the respective term as indicated:

Appointed: Carolyn Teixeira, Modesto High School
Robert Hart - Modesto Christian High School
Terms to expire 6/1/82

Reappointed: Ellen Barton - Beyer High School
Becky Boswell - Davis High School
Denise Ward - Downey High School
Terms to expire 12/1/81

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-931

A RESOLUTION INITIATING PROCEEDINGS FOR THE PROPOSED ANNEXATION OF INHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS HADDON-EL VISTA ANNEXATION TO THE CITY OF MODESTO; GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO; AND RESCINDING RESOLUTION NO. 81-904. (COUNCIL INITIATED)

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, the Council of the City of Modesto on August 4, 1981, adopted Resolution No. 81-674, which was a resolution of application to annex certain territory designated as the Haddon-El Vista Annexation to the City of Modesto, and

WHEREAS, said resolution of application was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated September 16, 1981, determined that said territory is inhabited and approved the initiation of proceedings for annexation of said inhabited territory to the City of Modesto pursuant to the Government Code, a copy of which resolution is attached hereto as Exhibit A and made a part hereof by reference, and

WHEREAS, the terms and conditions of the proposed annexation, if any, are set forth in said LAFCO resolution, and

WHEREAS, the reason or reasons for the proposed annexation in the proposal thereof submitted to the Commission are set forth in said City Council Resolution No. 81-674, and

WHEREAS, the territory which the City of Modesto and its Council propose to annex is situated in the County of Stanislaus, State of California, and has been designated as Haddon-El Vista Annexation to the City of Modesto, the exterior boundaries of which are set forth in the description attached hereto as Exhibit B and made a part hereof by reference, and

WHEREAS, no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described territory to the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED AND NOTICE IS HEREBY GIVEN that the 24th day of November, 1981, at the hour of 7:30 o'clock P.M. in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto be and is hereby fixed as the time and place for considering said annexation, at which time and place any owner of land or registered voter residing within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed.

1. Any such protest must be in writing, must be filed with the City Clerk at any time before the conclusion of the hearing on the proposed annexation, and must give the name and address of the owner of land with the description and area of such property, in general terms, or the name and address of the registered voter.

2. The City Clerk shall cause a copy of this resolution to be published at least twice, but not more often than once a week in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and in the County of Stanislaus and being the official newspaper of the City of Modesto. Said publications shall be commenced at least fifteen (15) days prior to the date set for the hearing.

3. The City Clerk of the City of Modesto shall also cause a copy of this resolution to be mailed to:

(a) Any person who has filed his name and address with the City Clerk and has requested such mailed notice;

(b) To each affected city, county, and district; and

(c) To the executive officer of the Local Agency Formation Commission.

4. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

BE IT FURTHER RESOLVED that Resolution No. 81-904 adopted October 6, 1981 is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn E. Johnson
ELWYN E. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By [illegible]
Public Works Department

RESOLUTION

Date: September 16, 1981 No. 81-49

Subject: HADDON-EL VISTA ANNEXATION TO THE CITY OF MODESTO

On motion of Commissioner Cannella, Seconded by Commissioner Draper, and approved by the following vote,
Ayes: Commissioners: Cannella, Draper, Condit & Starn
Noes: Commissioners: --
Absent: Commissioners: Ulm and Garcia
Disqualified: Commissioners: Muratore
Abstaining: Commissioners: --

THE FOLLOWING RESOLUTION WAS ADOPTED:

WHEREAS, the Commission has conducted a public hearing on the proposed Haddon-El Vista Annexation to the City of Modesto.

WHEREAS, notice of the said public hearing was given pursuant to Section 35055 of the California Government Code; and

WHEREAS, the Commission has, in evaluating the proposal, considered the report submitted by the Executive Officer and the factors set forth in Section 54796 of the California Government Code;

NOW, THEREFORE, BE IT RESOLVED that the Commission:

1. Find that: (a) the proposal is categorically exempt from the provisions of the California Environmental Quality Act of 1970; (b) the affected territory is inhabited under the provisions of the Municipal Organization Act of 1970; (c) the approval of the proposal would contribute to governmental efficiency and the logical formation of the City of Modesto; (d) the residents of the affected territory could benefit from the services which would be provided or become available upon annexation; and (e) the proposal is consistent with all applicable local general plans.

2. Order that a Notice of Exemption be issued;

3. Designate the proposal as the Haddon-El Vista Annexation to the City of Modesto;

4. Approve the proposal as submitted; and

5. Designate the City of Modesto as the conducting authority, and direct its City Council to initiate annexation proceedings.

I hereby certify that the foregoing is a true and correct copy of a document on file in my office.

GARDNER L. HUTCHINS
Executive Officer, Stanislaus County Local Agency Formation Commission

By ..... Deputy

SEP 1981

Exhibit "A"

HADDON-EL VISTA
ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of Sections 26 and 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southwestern corner of the Riverside No. 5 Addition (269), as per description filed May 5, 1971, as Instrument 16247, Stanislaus County Records;

1. thence along the existing City Limits and the Southern line of said Addition (269), South 89° 57' 10" East, 656.84 feet, to a Northwestern corner of the Riverside Addition (228) as per description filed March 24, 1969, as Instrument 9772, Stanislaus County Records;

2. thence continuing along the existing City Limits and the Western line of said Addition (228), South 00° 34' 45" East, 670.38 feet, to a Northeastern corner of the Glendale-Miller Addition (287), as per description filed May 3, 1972, as Instrument 17664, Stanislaus County Records;

3. thence continuing along the existing City Limits along the Northern line of said Addition (287), and the center line of 60 foot Haddon Avenue, the following bearings and distances, North 89° 56' 10" West, 536.73 feet;

4. thence South 80° 33' 25" West, 121.27 feet to the center line of 60 foot Trask Lane;

5. thence North 89° 56' 10" West, 1313.43 feet to the center line of 60 foot El Vista Avenue and the section line of Section 26 and 27;

6. thence North 89° 46' 00" West, 164.41 feet to a point on the Eastern line of the LaLoma-Yosemite Addition (55) as per description filed December 4, 1953, as Instrument 30045, Stanislaus County Records;

7. thence along the existing City Limits and the Eastern line of said Addition (55), North 00° 36' 30" West, 679.10 feet to a Southwestern corner of the El Vista School Addition (232), as per description filed June 2, 1969, as Instrument 19184, Stanislaus County Records;

8. thence along the Southern line of said Addition (232), and the center line of 60 foot Roble Avenue, South 89° 46' 00" East, 164.34 feet, to the center line of 60 foot El Vista Avenue;

Exhibit "B"

9. thence South 00° 36' 30" East, 109.99 feet, along said center line and the North-South section line of Sections 26 and 27, to the center line of 60 foot Roble Avenue;

10. thence continuing along the existing City Limits, along said center line of Roble Avenue, South 89° 56' 10" East, 656.73 feet, to the center line of 60 foot Colfax Avenue;

11. thence along the Eastern line of said Addition (232) and the center line of said 60 foot Colfax Avenue, North 00° 35' 55" West, 70.90 feet;

12. thence leaving the existing City Limits, along the center of 60 foot Roble Avenue, South 89° 56' 10" East, 656.83 feet, to the center line of 60 foot Trask Lane;

13. thence along said center line North 00° 35' 20" West, 50.19 feet, to the point of beginning, continuing 30.924 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-932

A RESOLUTION ACCEPTING THE BID OF WALLACE ELECTRIC FOR RENOVATION OF INTERIOR LIGHTING AT THE MODESTO POLICE DEPARTMENT

WHEREAS, Resolution No. 81-863, adopted by the Council of the City of Modesto on September 22, 1981, approved the plans and specifications for the renovation of interior lighting at the Modesto Police Department and authorized the calling for bids; and

WHEREAS, the bids received for the renovation of interior lighting at the Modesto Police Department were opened at 11:00 a.m. on October 13, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Wallace Electric in the amount of $6,725 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Wallace Electric in the amount of $6,725 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of October, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-933

A RESOLUTION ACCEPTING THE BID OF HANSEN'S, INC. FOR THE INSTALLATION OF AIR VENTILATION SYSTEM AT DOWNTOWN AUTOMOTIVE GARAGE AND RELOCATION OF HEATER AT SERVICE SHOP AT CORPORATION YARD

WHEREAS, Resolution No. 81-864, adopted by the Council of the City of Modesto on September 22, 1981 , approved the plans and specifications for the installation of air ventilation system at downtown automotive garage and relocation of heater at service shop at Corporation Yard and authorized the calling for bids; and

WHEREAS, the bids received for the installation of air ventilation system at downtown automotive garage and relocation of heater at service shop at Corporation Yard were opened at 11:10 a.m. on October 13, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Hansen's Inc. in the amount of $18,977 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Hansen's Inc. in the amount of $18,977 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of October , 1981 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-934

A RESOLUTION ACCEPTING THE BID OF H. MAX LEE, INC. FOR THE CONSTRUCTION OF PRESCOTT AND SNYDER CANAL CROSSING

WHEREAS, Resolution No. 81-867, adopted by the Council of the City of Modesto on September 22, 1981 , approved the plans and specifications for the construction of Prescott and Snyder canal crossing

and authorized the calling for bids; and

WHEREAS, the bids received for the construction of Prescott and Snyder canal crossing

were opened at 11:05 a.m. on October 13, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of H. Max Lee, Inc. in the amount of $138,975

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of H. Max Lee, Inc. in the amount of $138,975

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of October , 1981 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Judy C. Hall

JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-935

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN PIPELINE FOR THE STRENGTHENING OF WATER SYSTEM AT SUNRISE AND EDISON

WHEREAS, Resolution No. 81-865, adopted by the Council of the City of Modesto on September 22, 1981 , approved the plans and specifications for the strengthening of water system at Sunrise and Edison and authorized the calling for bids; and

WHEREAS, the bids received for the strengthening of water system at Sunrise and Edison were opened at 11:20 a.m. on October 13, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Joe Martin Pipeline in the amount of $16,328.50 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin Pipeline in the amount of $16,328.50 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of October , 1981 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-936

A RESOLUTION ACCEPTING THE BID OF BOND CONSTRUCTION CO. FOR THE EXTENSION OF WATERLINES AT FRANKLIN AND BEECH

WHEREAS, Resolution No. 81-866, adopted by the Council of the City of Modesto on September 22, 1981 , approved the plans and specifications for the extension of waterlines at Franklin and Beech

and authorized the calling for bids; and

WHEREAS, the bids received for the extension of waterlines at Franklin and Beech

were opened at 11:15 a.m. on October 13, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Bond Construction Co. in the amount of $18,996

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Bond Construction Co. in the amount of $18,996

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of October , 1981 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Judy C. Hall

JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-937

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING SIX COMPUTER TERMINALS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of six computer terminals copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 24, 1981, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of October, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-938

A RESOLUTION GRANTING APPROVAL TO THE MODESTO DETACHMENT, MARINE CORPS LEAGUE, TO CONDUCT A VETERANS' DAY PARADE IN THE CITY OF MODESTO ON WEDNESDAY, NOVEMBER 11, 1981, SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, the Modesto Detachment, Marine Corps League, has filed a request with the City Council for permission to use portions of city streets, and for the City to provide traffic control, and a reviewing stand and chairs, for a Veterans' Day parade on Wednesday, November 11, 1981, and

WHEREAS, the City Council deems it appropriate to grant approval to the Modesto Detachment, Marine Corps League for said Veterans' Day parade, and to grant its request for traffic control, reviewing stand, and chairs, subject to certain conditions,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby approve the use of portions of city streets, and agrees to provide traffic control, reviewing stand, and chairs, for a Veterans' Day parade on Wednesday, November 11, 1981, subject to the conditions hereinafter set forth:

1. Parade assembly will take place on Wednesday, November 11, 1981, at the Downey High School practice field and at the Downey Park baseball field from approximately 8:00 a.m. to 9:30 a.m. The parade will commence at approximately 9:30 a.m. and terminate at approximately 11:30 a.m.

2. The parade route, subject to the approval of the Chief of Police, will include Brighton Avenue from Downey Park west to Coffee Road, Coffee

Road from Brighton Avenue south to Scenic Drive, and Scenic Drive from Coffee Road west to Acacia Memorial Park Cemetery, a total distance of approximately 1.7 miles.

3. The City of Modesto will provide four (4) reserve officers to maintain traffic control along the parade route.

4. The Parks and Recreation Department will reserve the Downey Park baseball field for parade assembly from approximately 8:00 a.m. to 10:00 a.m.

5. The Parks and Recreation Department will erect a reviewing stand in front of Downey High School, after 5:00 p.m. on Tuesday, November 10, 1981, and will provide fifteen (15) chairs on the morning of Wednesday, November 11, 1981. After the parade has terminated, the Parks and Recreation Department will dismantle the reviewing stand, and remove the reviewing stand and chairs, no later than 5:00 p.m. on Wednesday, November 11, 1981.

6. The Modesto Detachment, Marine Corps League, assumes full responsibility for the reviewing stand and chairs from the time the reviewing stand is erected and the chairs provided, until the time the reviewing stand is dismantled and the reviewing stand and chairs are removed.

7. The Modesto Detachment, Marine Corps League, shall be responsible for the removal of all trash and debris from the streets used for the Veterans' Day parade which accumulates as a result of the Veterans' Day parade.

8. The Modesto Detachment, Marine Corps League, shall indemnify and hold harmless the City of Modesto, its officers, agents and employees from

and against any and all costs, damages, injuries, liability or loss to persons or property which may arise out of or in any way be connected with the Veterans' Day parade, and use of Downey Park and all streets within the city for the aforementioned Veterans' Day parade. The Modesto Detachment, Marine Corps League, is not required to indemnify or hold harmless the City of Modesto, its officers, agents and employees from any liability arising out of the ordinary and customary public use of Downey Park and city streets, which use is not related in any way to the Veterans' Day parade.

9. The Modesto Detachment, Marine Corps League, agrees to provide and keep in force on November 10 and 11, 1981, a policy of public liability insurance covering any and all claims for injuries to persons or property arising out of the Veterans' Day parade, with combined single limits of Three Hundred Thousand ($300,000.00) Dollars per occurrence for bodily injury, sickness and disease, including death resulting therefrom, and Three Hundred Thousand ($300,000.00) Dollars for claims for property damage.

The policy of insurance so provided shall contain a contractual liability endorsement covering the liability assumed by the Modesto Detachment, Marine Corps League, under the terms of this resolution. Copies of the policy of insurance or certificates evidencing the same shall be filed with the City Clerk.

BE IT FURTHER RESOLVED that the City Clerk shall furnish the Modesto Detachment, Marine Corps League, with a copy of this resolution. The Modesto Detachment, Marine Corps League, shall file a written acceptance of this resolution with the City Clerk, and no right shall be conferred hereby until said acceptance and the insurance required above are filed with the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of October, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: _____
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-939

A RESOLUTION GRANTING KILIBRO BROADCASTING CORPORATION PERMISSION TO CLOSE 11TH STREET BETWEEN I AND J STREETS, AND TO USE THE FIRST FLOOR OF THE CITY OF MODESTO PARKING GARAGE ON 11TH STREET AND THE RESTROOMS LOCATED IN SAID PARKING GARAGE, FOR A NEW CAR SHOW ON NOVEMBER 7 AND 8, 1981, SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, the Downtown Automobile Dealers' Association desires to close 11th Street between I and J Streets, and to use the first floor of the City of Modesto parking garage on 11th Street and the restrooms located in said parking garage, for a new car show on Saturday, November 7, and Sunday, November 8, 1981, and

WHEREAS, Kilibro Broadcasting Corporation, doing business as KFIV/K102 Radio wishes to sponsor said new car show, and is willing to assume certain responsibilities as the show sponsor, and

WHEREAS, the City of Modesto is willing, upon certain conditions, to grant permission to close 11th Street between I and J Streets, and to permit use of the first floor of the City of Modesto parking garage on 11th Street and the restrooms located in said parking garage, for the proposed new car show on said dates.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby approve the following, subject to the conditions set forth herein, relating to a new car show on November 7 and 8, 1981:

1. Permission is granted to Kilibro Broadcasting Corporation to close 11th Street between I and J Streets, and to use the first floor of the

City of Modesto parking garage on 11th Street and the restrooms located in said parking garage, for a new car show on November 7 and 8, 1981, which show shall be conducted by the Downtown Automobile Dealers' Association and sponsored by Kilibro Broadcasting Corporation.

2. Kilibro Broadcasting Corporation shall indemnify, defend, and hold harmless the City of Modesto, and its officers, agents and employees from any and all claims, losses, demands, actions, and liabilities for bodily injury, property damage, and costs, including all costs of defense, caused by, arising out of, or in any way related to the use of 11th Street between I and J Streets, and of the first floor of the City of Modesto parking garage on 11th Street and the restrooms located in said parking garage, for a new car show on November 7 and 8, 1981, and whether arising from the acts or omissions of the Downtown Automobile Dealers' Association, Kilibro Broadcasting Corporation, or other parties, or from the acts or omissions of the City of Modesto or its officers, agents or employees.

3. Kilibro Broadcasting Corporation shall maintain, at least through November 8, 1981, a policy of public liability insurance covering any and all claims for injuries to persons or damage to property, arising out of the new car show to be conducted on 11th Street between I and J Streets and in the first floor of the City of Modesto parking garage on 11th Street and the restrooms located in said parking garage, on November 7 and 8, 1981. Said policy of insurance shall have a combined single limit of at least Three Hundred Thousand and no/100ths Dollars ($300,000.00) per occurrence for bodily injury, sickness and disease, including death resulting therefrom, and for property damage. The policy of insurance so provided shall contain a contractual liability endorsement covering the liability assumed by Kilibro Broadcasting Corporation

under the terms of this resolution. Copies of the policy of insurance or certificates evidencing the same shall be filed with the City Clerk.

4. Kilibro Broadcasting Corporation shall be responsible for all damage occurring to the City of Modesto parking garage on 11th Street during the course of the new car show on November 7 and 8, 1981, reasonable wear and tear excepted.

5. Kilibro Broadcasting Corporation shall be responsible for the removal of all trash and debris from 11th Street between I and J Streets and from the parking garage, and for the cleaning of the restrooms located in such parking garage, which is required as a result of the new car show on November 7 and 8, 1981.

BE IT FURTHER RESOLVED that the City Clerk shall furnish a representative of Kilibro Broadcasting Corporation with a copy of this resolution. Kilibro Broadcasting Corporation shall file a written acceptance of this resolution with the City Clerk, and no right shall be conferred hereby until said acceptance and evidence of the insurance required above are filed with the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of October, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

(SEAL)

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-940

A RESOLUTION ADOPTING A SCHEDULE OF FEES AND CHARGES FOR WATER SERVICE IN THE CITY OF MODESTO, AND RESCINDING RESOLUTION NO. 75-431.

WHEREAS, Sections 11-1.04, 11-1.05, 11-1.06, 11-1.09, and 11-1.14 of the Modesto Municipal Code, as they now exist and as amended by Ordinance No. 2088 -C.S., introduced on October 21, 1981, provide that a schedule of fees and charges to be charged to consumers for water services are to be established and set by the Council from time to time by resolution, and

WHEREAS, the Council of the City of Modesto desires to adopt such a schedule of fees and charges to be charged to consumers for water services in the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby adopts the following schedule of fees and charges for water service to be charged to consumers for water services in the City of Modesto:

SCHEDULE OF FEES AND CHARGES
FOR WATER SERVICES

Modesto Municipal Code Reference	Name of Fee or Charge and Itemization	Fee or Charge
11-1.04	Water service installation charges	
	1" service	$ 495.00
	1-1/2" service	505.00
	2" service	550.00
	Service larger than 2"	Cost
11-1.04	Additional Charge for each water service installation involving pavement removal and/or replacements.	215.00
11-1.05(a)	Water main connection charges in territory within City for each square foot served.	.096
11-1.05(b)	Water main connection charges in territory outside the City for each square foot served.	.096
11-1.05(c)(4)	Fire hydrant installation, each	$1,115.00
	Fire hydrant line to main per lineal foot	31.00
	Additional charge for each hydrant installation involving pavement removal and/or replacement.	270.00
11-1.05(d)(3)	Inspection fee to determine portion of parcel to be served by a water main connection, fee per parcel.	15.00
11-1.06(e)	Meter installation cost	
	Each 1" meter	160.00
	Each 1" meter with traffic lid	195.00
	Each 1-1/2" meter	340.00
	Each 1-1/2" meter with traffic lid	380.00
	Each 2" meter	395.00
	Each 2" meter with traffic lid	430.00
	Each meter of 2"	Cost
11-1.09	Fire hydrant use service charge for each permit issued.	20.00
11-1.14(e)	Water bill delinquent charge.	2.00
11-1.14(e)	Water reconnection charge.	2.00

BE IT FURTHER RESOLVED that the above schedule of fees and charges shall be effective December 3, 1981, and shall remain in effect until revised by the City Council.

BE IT FURTHER RESOLVED that Resolution No. 75-431 is hereby rescinced, effective December 3, 1981.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 21st day of October, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

RESOLUTION 81-941

UNUSED

MODESTO CITY COUNCIL
RESOLUTION NO. 81-942

A RESOLUTION APPROVING THE FINAL MAP OF THE MINOA ESTATES SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, STEVE KORDAZAKIS and ROXANNE KORDAZAKIS, husband and wife, and JOHN KORDAZAKIS and DIMITRA KORDAZAKIS, husband and wife,

are possessed of a track of land situate in the City of Modesto, County of Stanislaus, consisting of 0.619 acres, known as the Minoa Estates Subdivision, and

WHEREAS, a tenative map of said tract was approved by the City Planning Commission on the 6th day of April, 19 81, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Minoa Estates Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct, and

WHEREAS, all public improvements required by the City of Modesto have been completed in said tract,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the improvements completed in said tract be accepted; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public

use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of October, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-943

A RESOLUTION APPROVING THE FINAL MAP OF THE
CAMPUS COMMONS I
SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, CAMPUS COMMONS I, a general partnership, is/are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 4.56 acres, known as the CAMPUS COMMONS I Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 18th day of May, 1981, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said CAMPUS COMMONS I Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct, and

WHEREAS, all requirements of the California Subdivision Map Act regarding notice to tenants of the condominium conversion have been complied with, or conditions found excusing such compliance, and

WHEREAS, all public improvements required by the City of Modesto have been completed in said tract,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the improvements completed in said tract be accepted; that the streets, alleys and easements as shown thereon within the

boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of October, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore; Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-944

A RESOLUTION APPROVING THE FINAL MAP OF THE CAMPUS COMMONS II SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, CAMPUS COMMONS II, a general partnership, is/are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 4.40 acres, known as the CAMPUS COMMONS II Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 18th day of May, 1981, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said CAMPUS COMMONS II Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct, and

WHEREAS, all requirements of the California Subdivision Map Act regarding notice to tenants of the condominium conversion have been complied with, or conditions found excusing such compliance, and

WHEREAS, all public improvements required by the City of Modesto have been completed in said tract,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the improvements completed in said tract be accepted; that the streets, alleys and easements as shown thereon within the

boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of October, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn E. Johnson
ELWYN E. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-945

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND GEORGE FREDERICKSON AND PHILLIP BRAVARD FOR THE LEASE OF A VACANT PORTION OF FIRE STATION NO. 5 FOR A GARDEN SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and George Frederickson and Phillip Bravard **for** the lease of a vacant portion of Fire Station No. 5 for a garden site

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st **day of** October, 19 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Lang

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-946

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ALOMA LACKEY FOR THE LEASE OF PARKVIEW GUEST HOME LOCATED AT 1343 LEGION PARK DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Aloma Lackey **for** the lease of Parkview Guest Home located at 1343 Legion Park Drive **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st **day of** October, **19**81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Lang

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-947

AMENDED
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND QUADAIR, CHANGING THE INDEMNIFICATION AND INSURANCE REQUIREMENTS OF THE LEASE OF CORPORATE HANGARS AT THE AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto
amended
that the/agreement between the City of Modesto and Quadair , changing the indemnification and insurance requirements of the lease of corporate hangars at the airport

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st **day of** October, **19** 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Lang

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-948

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT WITH BURROUGHS CORPORATION FOR PROVIDING MAINTENANCE SERVICE ON THE DATA PROCESSING SYSTEM LOCATED IN THE FINANCE DEPARTMENT

WHEREAS, the City of Modesto has negotiated with Burroughs Corporation for a current equipment maintenance agreement on the data processing equipment located in the Finance Department, Data Processing Division.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that it does hereby authorize the City Manager to sign a contract with Burroughs Corporation for providing maintenance service on the data processing system located in the Finance Department for an estimated cost of $28,571.28.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of October, 1981, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-949

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CABLECOM TO ALLOW JOINT USAGE OF THE UNDERGROUND SERVICE ALERT (USA) MESSAGE RECEIVING EQUIPMENT CURRENTLY USED BY THE CITY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Cablecom to allow joint usage of the Underground Service Alert (USA) message receiving equipment currently used by the City

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st **day of** October**, 19**81**, by Councilmember** Siefkin**, who moved its adoption, which motion being duly seconded by Councilmember** Muratore**, was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Lang

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-950

A RESOLUTION ADOPTING A POLICY FOR LOWERING FLAGS TO HALF-MAST AT CITY FACILITIES

WHEREAS, the City Council deems it desirable to adopt a policy for identifying the circumstances for which flags at City buildings are to be lowered to half-mast.

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Modesto does hereby adopt the following policy statement, identifying the circumstances for which flags at City buildings are to be lowered to half-mast:

"It is the policy of the City of Modesto to lower the flags, that would otherwise be flown at full mast, to half-mast for the following reasons:

1. When a national day of mourning has been declared by the President of the United States;

2. When a day of mourning has been declared by the Governor of the State of California;

3. On Memorial Day;

4. When the Mayor declares a day of mourning;

5. When the City Manager directs that the flags be lowered to half-mast because of the death of a prominent citizen or City employee, or former City employee or Councilmember;

6. When an employee has died in the line of duty, flags at all City facilities will be flown at half-mast from the date of death or the first working day after the date of death, through the date of the funeral. If an employee dies of non-work related causes, it is at the discretion of the department head to request the City Manager approve that flags at part or all of the City facilities be lowered. In no case shall flags be lowered beyond the date of burial or cremation of the employee."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of October, 1981, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Judy C. Hall

JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-951

AMENDED

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND UNIVERSITY OF CALIFORNIA (COOPERATIVE EXTENSION) FOR COMMUNITY GARDEN SITE AT LINCOLN SCHOOL SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto amended **that the/agreement between the City of Modesto and** University of California (Cooperative Extension) for community garden site at Lincoln School site, asking that the provision requiring individuals to carry their own insurance be deleted from the agreement

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st **day of** October, **19** 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Judy C. Hall

JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-952

A RESOLUTION APPROVING AMENDMENT TO MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MODESTO AND THE MODESTO FIREFIGHTERS ASSOCIATION PROVIDING AN OPTION FOR FIREFIGHTERS TO CHOOSE EITHER THE CITY'S HEALTH AND DENTAL INSURANCE PLANS OR THE HEALTH AND DENTAL INSURANCE PLANS PROVIDED BY FEDERATED FIREFIGHTERS OF CALIFORNIA

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the amendment to the Memorandum of Understanding between the City of Modesto and the Modesto Firefighters Association providing an option for firefighters to choose either the City's health and dental insurance plans or the health and dental insurance plans provided by Federated Firefighters of California, be and it is hereby approved.

BE IT FURTHER RESOLVED that the implementation of said amendment to the memorandum of understanding by the designated City officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of October, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-952A

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION 10-2.2006 OF THE ZONING ORDINANCE.

WHEREAS, on October 27, 1981, the City Council introduced Ordinance No. 2090-C.S. giving approval to a project relating to an amendment to Section 10-2.2006 of the Zoning Ordinance to require a one year waiting period to refile an application for a Variance or Conditional Use Permit that has been denied, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section 10-2.2006 of the Zoning Ordinance to require a one year waiting period to refile an application for a Variance or Conditional Use Permit that has been denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Vice Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-953

A RESOLUTION DENYING THE APPEAL OF SANDERS CONSTRUCTION COMPANY TO THE DECISION OF THE BOARD OF ZONING ADJUSTMENT DENYING AN APPLICATION FOR A CONDITIONAL USE PERMIT IN THE H-1 ZONE FOR A FREESTANDING SIGN AT THE SOUTHEAST CORNER OF BECKWITH OVERPASS AND FREEWAY 99.

WHEREAS, Sanders Construction Company on August 31, 1981, applied for an amendment to a conditional use permit in the H-1 Zone for a freestanding sign 35 feet high and 150 square feet in area at the southeast corner of Beckwith Overpass and Freeway 99, and

WHEREAS, Sections 10-2.1094(a) and 10-2.2004 of the Modesto Municipal Code authorize the Board of Zoning Adjustment to grant conditional use permits, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on September 24, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which time the Board of Zoning Adjustment by Resolution No. 1020 found and determined that the applicant had failed to demonstrate the necessary facts for a sign at this location as required by Section 10-2.3510 of the Modesto Municipal Code, and

WHEREAS, Sanders Construction Company filed an appeal with the City Clerk of the City of Modesto by letter dated October 1, 1981, to the decision of the Board of Zoning Adjustment denying an application for an amendment to a conditional use permit in the H-1 Zone for a freestanding sign 35 feet high and 150 square feet in area at the southeast corner of Beckwith Overpass and Freeway 99, and

WHEREAS, said appeal was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, at 7:30 p.m. on September 27, 1981, at which time evidence both oral and documentary was taken and introduced, and

WHEREAS, at said hearing the Council found and determined that the appeal by Sanders Construction Company to the decision of the Board of Zoning Adjustment denying an application for an amendment to a conditional use permit in the H-1 Zone for a freestanding sign 35 feet high and 150 square feet in area at the southeast corner of Beckwith Overpass and Freeway 99 should be denied for the reason that the applicant had failed to demonstrate the necessary facts for a sign at this location as required by Section 10-2.3510 of the Modesto Municipal Code, namely, that the service station is not a freestanding use and can be adequately identified by other permitted signs, and

WHEREAS, at said hearing the Council further found and determined that the decision of the Board of Zoning Adjustment should be affirmed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal of Sanders Construction Company to the decision of the Board of Zoning Adjustment denying an application for an amendment to a conditional use permit in the H-1 Zone for a freestanding sign 35 feet high and 150 square feet in area at the southeast corner of Beckwith Overpass and Freeway 99 is hereby denied for the reasons set forth above, and the decision of the Board of Zoning Adjustment as set forth in its Resolution No. 1020 is hereby affirmed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1981, by Councilmember Siefkin, which motion being duly seconded by Councilmember Patterson, was

upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Muratore, Patterson, Siefkin

NOES: Councilmembers: Bright, Acting Mayor Lang

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-954

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF THE AIRPORT RUNWAY SAFETY AREA

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of the airport runway safety area

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 17, 1981 at 11:05 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-955

A RESOLUTION AMENDING THE FINAL BUDGET OF THE CITY OF MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 1982, TO PROVIDE FOR THE FUNDING OF AN AIRPORT DEVELOPMENT AID PROGRAM (ADAP).

WHEREAS, the City of Modesto has received approval of Federal Aviation Administration grant funding in the amount of $180,000.00 to construct an extended runway safety area and to acquire five avigation easements, and

WHEREAS, it is necessary to estimate grant revenues to be received during the current fiscal year and increase appropriations in the City of Modesto 1981-82 Final Budget,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the 1981-82 Final Budget be amended as follows:

Estimated Revenues		Increase
Account 255-64	FAA Grants	$ 67,500.00
Account 223-64	County Apportionment	3,750.00

Appropriation		Increase
Account 6470.00-7101-64	Airport Runway Safety Area	$131,250.00

Appropriation		Decrease
Account 6948.00-7101-64	Clear Zone Acquisition	60,000.00

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 27th day of October, 1981, by Councilmember

Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-956

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF HOUSING TARGET AREA NO. 3-CURBS, GUTTER, SIDEWALKS, STORM DRAINS - PHASE I

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of Housing Target Area No. 3 - curbs, gutter, sidewalks, storm drains - Phase I copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 17, 1981 at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-957

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE NEW CUMMINS DIESEL AUTOMOTIVE ENGINE FOR THE FIRE DEPARTMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of one new Cummins diesel automotive engine for the Fire Department copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 17, 1981 at 2:10 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-958

A RESOLUTION ACCEPTING THE BID OF CHAS. I. CUNNINGHAM CO. FOR THE CONSTRUCTION OF SITE IMPROVEMENTS AT PUMP STATION NO. 14 - VIRGINIA AVENUE

WHEREAS, Resolution No. 81-886, adopted by the Council of the City of Modesto on October 6, 1981, approved the plans and specifications for the construction of site improvements at Pump Station No. 14 - Virginia Avenue and authorized the calling for bids; and

WHEREAS, the bids received for the construction of site improvements at Pump Station No. 14 - Virginia Avenue were opened at 11:00 a.m. on October 20, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Chas. I. Cunningham Co. in the amount of $7,796 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Chas. I. Cunningham Co. in the amount of $7,796 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-959

RE-
A RESOLUTION ACCEPTING THE/CONSTRUCTION OF TRASK LANE FROM YOSEMITE BLVD. TO HADDON AVENUE AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works re- that the /construction of Trask Lane from Yosemite Blvd. to Haddon Avenue has been completed by Lee White Paving Company

in accordance with the contract agreement dated May 5, 1981.

re-
NOW, THEREFORE, BE IT RESOLVED that the /construction of Trask Lane from Yosemite Blvd. to Haddon Avenue be accepted from said contractor, Lee White Paving Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $85,643.46 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-960

A RESOLUTION ACCEPTING IMPROVEMENTS IN WEST CAMPUS BUSINESS CENTER SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS and Modesto Business Park

WHEREAS, David & Natalie Hannah, J.A. & Billie Saletta/, subdividers of West Campus Business Center Subdivision, have filed subdivision bonds for faithful performance and labor and materials in the amount of $ 713,900.00 and $ 356,950.00 respectively to guarantee improvements in West Campus Business Center Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated October 19, 1981, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the subdivision bonds upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in West Campus Business Center Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the subdivision bond for faithful performance in the amount of $ 713,900.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the subdivision bond for labor and materials in the amount of $ 356,950.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1981 by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-961

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND PARSONS, BRINCKERHOFF, QUADE AND DOUGLAS, INC. TO MASTERPLAN A TRANSPORTATION CENTER

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Parsons, Brinckerhoff, Quade and Douglas, Inc., architects, to masterplan a transportation center

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th **day of** October, **19** 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-962

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAN AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (BEVERLY-HARRIS ANNEXATION TO THE CITY OF MODESTO)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 81-884 on October 6, 1981, certain territory known as Beverly-Harris Annexation to the City of Modesto, and

WHEREAS, the inclusion of the area contained in Beverly-Harris Annexation to the City of Modesto to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Beverly-Harris Annexation to the City of Modesto (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 227.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, December 8, 1981, at the hour of 7:30 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgement of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 227.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the

Council voting for and against it, to be published once a week for at least two (2) weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) The northeast corner of the Annexation at the west side of Harris Avenue approximately 1145 feet north of the center line intersection of Paradise Road and Harris Avenue.

(2) The southeast corner of the Annexation at the north side of Paradise Road approximately 462 feet southwest of the center line intersection of Paradise Road and Harris Avenue.

(3) The east line of the Annexation at the west side of Harris Avenue approximately 572 feet north of the center line intersection of Paradise Road and Harris Avenue.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address

as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 227, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	Councilmembers	None
ABSENT:	Councilmembers	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

BEVERLY-HARRIS ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 31, Township 3 South, Range 9 East, and the Northwest quarter of Section 6, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the most Northerly corner of the PARADISE-WADE ANNEXATION (381) as per description filed August 22, 1978 as Instrument 11378, Stanislaus County Records, said point being on the center line of 50.00 foot Paradise Road and on the North-South quarter section line in said Section 6;

1. thence along the existing City Limits and the center line of Paradise Road on the Northwestern boundary of said Addition (381), South 49° 55' 00" West, 461.54 feet;

2. thence leaving the existing City Limits and the center line of Paradise Road, North 40° 05' 00" West, 262.16 feet;

3. thence South 49° 55' 00" West, 10.00 feet;

4. thence North 40° 05' 00" West, 48.95 feet, to a point on the Southern line of 40.00 foot Beverly Drive;

5. thence along said Southern line of Beverly Drive, South 89° 30' 00" West, 13.07 feet;

6. thence North 00° 13' 00" West, 253.10 feet;

7. thence North 89° 30' 00" East, 148.14 feet, to the center line of 40.00 foot Ritsch Lane;

8. thence along said center line of Ritsch Lane, South 00° 13' 00" East, 69.60 feet;

9. thence North 89° 30' 00" East, 268.14 feet;

10. thence North 00° 13' 00" West, 100.00 feet;

11. thence South 89° 30' 00" West, 60.00 feet;

12. thence North 00° 13' 00" West, 285.99 feet;

13. thence North 89° 30' 00" East, 13.145 feet;

14. thence North 00° 13' 00" West, 150.00 feet;

15. thence South 89° 30' 00" West, 13.145 feet;

16. thence North 00° 13' 00" West, 116.29 feet;

17. thence South 89° 30' 00" West, 8.145 feet;

18. thence North 00° 13' 00" West, 117.00 feet, to a point on the section line common to said Sections 6 and 31;

19. thence along said section line common to Sections 6 and 31, South 89° 30' 00" West, 212.92 feet;

20. thence North 00° 28' 45" West, 259.03 feet;

21. thence North 89° 40' 00" East, 121.00 feet;

22. thence South 89° 23' 00" East, 319.43 feet, to the North-South quarter section line in said Section 31, and center line of 60.00 foot Harris Avenue;

23. thence along said North-South quarter section line in Section 31 and said center line of Harris Avenue, South 00° 13' 00" East, 252.46 feet, to the South quarter section corner in Section 31 and the North quarter section corner in said Section 6;

24. thence along the North-South quarter section line in Section 6 and the center line of Harris Avenue, South 00° 13' 00" East, 892.08 feet, to the point of beginning, containing 10.170 Acres, more or less.

CLERK'S CERTIFICATE

I, Morrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on October 27, 1981, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Bright, seconded by Councilmember Muratore, and adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lane

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: October 27, 1981

Morrine Coyle

City Clerk of the City of Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-962A

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE BURBANK-PARADISE FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Burbank-Paradise Fire Protection District in Stanislaus County was annexed to the City of Modesto as Beverly-Harris Annexation to the City of Modesto by Resolution No. 81-884 adopted on October 6, 1981, and said annexation officially became a part of the City of Modesto on October 13, 1981, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Burbank-Paradise Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1981.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Kooo Campbell
Public Works Department

BEVERLY-HARRIS ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 31, Township 3 South, Range 9 East, and the Northwest quarter of Section 6, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the most Northerly corner of the PARADISE-WADE ANNEXATION (381) as per description filed August 22, 1978 as Instrument 11378, Stanislaus County Records, said point being on the center line of 50.00 foot Paradise Road and on the North-South quarter section line in said Section 6;

1. thence along the existing City Limits and the center line of Paradise Road on the Northwestern boundary of said Addition (381), South 49° 55' 00" West, 461.54 feet;

2. thence leaving the existing City Limits and the center line of Paradise Road, North 40° 05' 00" West, 262.16 feet;

3. thence South 49° 55' 00" West, 10.00 feet;

4. thence North 40° 05' 00" West, 48.95 feet, to a point on the Southern line of 40.00 foot Beverly Drive;

5. thence along said Southern line of Beverly Drive, South 89° 30' 00" West, 13.07 feet;

6. thence North 00° 13' 00" West, 253.10 feet;

7. thence North 89° 30' 00" East, 148.14 feet, to the center line of 40.00 foot Ritsch Lane;

8. thence along said center line of Ritsch Lane, South 00° 13' 00" East, 69.60 feet;

9. thence North 89° 30' 00" East, 268.14 feet;

10. thence North 00° 13' 00" West, 100.00 feet;

11. thence South 89° 30' 00" West, 60.00 feet;

12. thence North 00° 13' 00" West, 285.99 feet;

13. thence North 89° 30' 00" East, 13.145 feet;

14. thence North 00° 13' 00" West, 150.00 feet;

15. thence South 89° 30' 00" West, 13.145 feet;

16. thence North 00° 13' 00" West, 116.29 feet;

17. thence South 89° 30' 00" West, 8.145 feet;

18. thence North 00° 13' 00" West, 117.00 feet, to a point on the section line common to said Sections 6 and 31;

19. thence along said section line common to Sections 6 and 31, South 89° 30' 00" West, 212.92 feet;

20. thence North 00° 28' 45" West, 259.03 feet;

21. thence North 89° 40' 00" East, 121.00 feet;

22. thence South 89° 23' 00" East, 319.43 feet, to the North-South quarter section line in said Section 31, and center line of 60.00 foot Harris Avenue;

23. thence along said North-South quarter section line in Section 31 and said center line of Harris Avenue, South 00° 13' 00" East, 252.46 feet, to the South quarter section corner in Section 31 and the North quarter section corner in said Section 6;

24. thence along the North-South quarter section line in Section 6 and the center line of Harris Avenue, South 00° 13' 00" East, 892.08 feet, to the point of beginning, containing 10.170 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-963

A RESOLUTION AUTHORIZING AN APPLICATION FOR FEDERAL AID URBAN (FAU) FUNDS TO IMPROVE SYLVAN AVENUE TO MAJOR STREET STANDARDS, CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND AUTHORIZING THE CITY MANAGER TO SIGN GRANT AGREEMENT AND OTHER NECESSARY DOCUMENTS IF FEDERAL AID URBAN (FAU) FUNDS ARE GRANTED FOR SAID PROJECT.

WHEREAS, Sylvan Avenue between McHenry Avenue and Oakdale Road needs to be improved to major street standards, including reconstruction and some right-of-way acquisition, and

WHEREAS, the City Council desires to authorize an application for Federal Aid Urban (FAU) Funds to finance said reconstruction and right-of-way acquisition, and

WHEREAS, the City Council certifies that it has reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of said project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The City Manager is hereby authorized to sign and file an application and related documents for Federal Aid Urban (FAU) Funds for Improvement of Sylvan Avenue between McHenry Avenue and Oakdale Road to major street standards, including reconstruction and some right-of-way acquisition.

2. The Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of said project.

3. The City Manager is hereby authorized to sign the grant agreement and related documents if Federal Aid Urban (FAU) Funds are granted for said project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-964

A RESOLUTION AUTHORIZING AN APPLICATION FOR FEDERAL AID URBAN (FAU) FUNDS TO IMPROVE OAKDALE ROAD TO MAJOR STREET STANDARDS, CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND AUTHORIZING THE CITY MANAGER TO SIGN GRANT AGREEMENT AND OTHER NECESSARY DOCUMENTS IF FEDERAL AID URBAN (FAU) FUNDS ARE GRANTED FOR SAID PROJECT.

WHEREAS, Oakdale Road between Briggsmore Avenue and Sylvan Avenue needs to be improved to major street standards, including reconstruction and some right-of-way acquisition, and

WHEREAS, the City Council desires to authorize an application for Federal Aid Urban (FAU) Funds to finance said reconstruction and right-of-way acquisition, and

WHEREAS, the City Council certifies that it has reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of said project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The City Manager is hereby authorized to sign and file an application and related documents for Federal Aid Urban (FAU) Funds for Improvement of Oakdale Road between Briggsmore Avenue and Sylvan Avenue to major street standards, including reconstruction and some right-of-way acquisition.

2. The Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of said project.

3. The City Manager is hereby authorized to sign the grant agreement and related documents if Federal Aid Urban (FAU) Funds are granted for said project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-965

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND GARY R. AND MILLIE A. HANSEN FOR SEWER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 1706 EUREKA STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Gary R. and Millie A. Hansen **for** sewer service to property outside City limits at 1706 Eureka Street, located on the east side of Eureka Street between Butte Avenue and Colusa Avenue **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th **day of** October, 19 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-966

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WILLIAM R. MILLS AND ROSE E. MILLS FOR THE ACQUISITION OF .968± SQUARE FEET OF THEIR PROPERTY ON FLOYD AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and William R. Mills and Rose E. Mills **for** the acquisition of .968± square feet of their property on Floyd Avenue for sidewalk installation **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th **day of** October, 19 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-967

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RODNEY R. AND SUSAN P. JOHNSON, PAUL AND BRENDA L. CALHOUN FOR THE ACQUISITION OF 895± SQUARE FEET OF THEIR PROPERTY ON FLOYD AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Rodney R. and Susan P. Johnson, Paul and Brenda L. Calhoun **for** the acquisition of 895± square feet of their property on Floyd Avenue for sidewalk installation **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th **day of** October, **19**81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-968

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ALLAN THODE, M.A.I. FOR THE APPRAISAL OF THE PROPERTY BEING CONSIDERED FOR THE DOWNTOWN TRANSPORTATION CENTER

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Allan Thode, M.A.I.

for the appraisal of the property being considered for the downtown transportation center

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th **day of** October, **19**81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Siefkin, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-969

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ALLEN GRANT TO NEGOTIATE FOR DEVELOPMENT OF AN AGRI TRADE AND CULTURAL CENTER

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Allen Grant to negotiate for development of an agri trade and cultural center

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** November, **19** 81, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-970

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JAMES N. ALLEN, ERNESTINE M. ALLEN, ALLEN R. GRANT, AND CAROLYN M. GRANT, TO ACQUIRE THEIR PROPERTY LOCATED AT 11TH AND K STREETS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and James N. Allen, Ernestine M. Allen, Allen R. Grant, and Carolyn M. Grant, to acquire their property located at 11th and K Streets

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** November, **19** 81, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-970

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND A & D YAMAHA, TO ACQUIRE PROPERTY LOCATED AT 11TH AND K STREETS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and A & D Yamaha

for the acquisition of their property located at 11th and K Streets

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** November, **19** 81, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-970A

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND A & D YAMAHA FOR LEASE OF PROPERTY AT 11TH AND K STREETS - FUTURE COMMUNITY CENTER SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and A & D Yamaha

for lease of property at 11th and K Streets - future community center site

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** November, **19** 81, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CORRECTED COPY

MODESTO CITY COUNCIL
RESOLUTION NO. 81-971

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JAMES NORMAN CLAYWORTH AND DONALD LOFTUS MONAGHAN, FOR ACQUISITION OF THEIR PROPERTY LOCATED AT 1015 K STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and James Norman Clayworth and Donald Loftus Monaghan, for acquisition of their property located at 1015 K Street

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** November, **19** 81, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-971

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO TYPEWRITER COMPANY FOR ACQUISITION OF PROPERTY LOCATED AT 1015 K STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Modesto Typewriter Company **for** acquisition of their property located at 1015 K Street

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** November**, 19**81**, by Councilmember** Elliott**, who moved its adoption, which motion being duly seconded by Councilmember** Bright**, was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-971A

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO TYPEWRITER COMPANY FOR LEASE OF PROPERTY LOCATED AT 1015 K STREET - FUTURE COMMUNITY CENTER SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Modesto Typewriter Company **for** lease of property located at 1015 K Street - future community center site

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** November, **19**81, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-972

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,845,000 FROM RESERVE AND $260,000 FROM CONTINGENCY RESERVE FOR LAND ACQUISITION - COMMUNITY CENTER SITE

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Reserve for Community Center	$1,845,000
	Contingency Reserve for Land Acquisition and Capital	260,000
TO:	Community Center Capital Account	$2,105,000

For acquisition of property for community center.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** November, 19 81, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Muratore, Patterson, Acting Mayor Lang

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Siefkin, Mayor Mensinger

ATTEST: NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-973

A RESOLUTION GRANTING THE APPEAL OF MID VALLEY ENGINEERING ON BEHALF OF JERRY WARDEN TO A DECISION OF THE BOARD OF ZONING ADJUSTMENT DENYING A VARIANCE TO PERMIT A 7 FOOT HIGH MASONRY WALL ALONG A PORTION OF THE ILA WAY FRONTAGE WITHOUT SETBACK.

WHEREAS, an application for a variance from the provisions of Section 10-2.1612 of the Modesto Municipal Code to permit construction of a 7 foot high masonry wall along a portion of the Ila Way right-of-way line adjacent to the lot at 145 Frances was filed by Jerry and Linda Warden on September 1, 1981, and

WHEREAS, Sections 10-2.1904(a) and 10-2.2001 of the Modesto Municipal Code authorize the Board of Zoning Adjustment to grant variances subject to findings specified in Section 10-2.2003 of the Modesto Municipal Code, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on September 24, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, after holding said public hearing the Board of Zoning Adjustment adopted Resolution No. 1014 finding and determining that the applicant had failed to demonstrate the existence of the four conditions for a variance as required by Section 10-2.2003 of the Modesto Municipal Code and denying the requested variance, and

WHEREAS, an appeal to the decision of the Board of Zoning Adjustment was filed with the City Council of the City of Modesto by Mid Valley

Engineering on behalf of Jerry Warden by letter dated September 28, 1981, and

WHEREAS, said appeal was set for hearing before the City Council of the City of Modesto in the Council Chambers, City Hall, 801 11th Street, Modesto, California, at 7:30 p.m. on Tuesday, October 27, 1981, and continued to 4:00 p.m. on Tuesday, November 3, 1981, and

WHEREAS, said hearing was held at said time and place and evidence both oral and documentary was presented and considered, and

WHEREAS, after hearing said evidence the Council found and determined that the appeal of Mid Valley Engineering on behalf of Jerry Warden to the decision of the Board of Zoning Adjustment denying his application for a variance should be granted for the following reasons, and the decision of the Board of Zoning Adjustment overruled:

1. There are exceptional or extraordinary circumstances or conditions applicable to the property involved because the property, while of large size is irregular in shape and lies at the intersection of three streets.

2. Such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone, and denied to the property in question because other neighborhood properties have walls and fences without conforming to the required setbacks.

3. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located because the proposed wall is pulled back from the southerly corner and there will not be any sight distance hazard.

4. The granting of such variance will not adversely affect the general plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby find and determine that the appeal filed by Mid Valley Engineering on behalf of Jerry Warden to the decision of the Board of Zoning Adjustment denying a variance from the provisions of Section 10-2.1612

of the Modesto Municipal Code to permit construction of a 7 foot high masonry wall along a portion of the Ila Way right-of-way line adjacent to the lot at 145 Frances should be granted for the reasons set forth above subject to the following conditions, and that the decision of the Board of Zoning Adjustment denying the application is hereby overruled:

1. All development shall conform to the plot plan titled, "Topography Survey, prepared for Jerry Warden", as amended in red, stamped approved by the City Council on November 3, 1981.

2. The applicant shall record a "Notice of Conditions" in the Stanislaus County Recorder's Office on a form available in the Planning and Community Development Department.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of November, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Acting Mayor Lang
NOES:	Councilmembers:	Patterson, Siefkin
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-974

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR NORWEGIAN, GORDON, TOKAY AVENUE WATER SYSTEM STRENGTHENING

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the Norwegian, Gordon, Tokay Avenue water system strengthening

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 24, 1981, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of November, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-975

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR REPLACEMENT OF WATER MAIN - TERESA AVENUE AND GRAPE AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for replacement of water main O Teresa Avenue and Grape Avenue

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 24, 1981,at 11:05 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of November, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-976

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR MODIFYING THE TRAFFIC SIGNALS ON BRIGGSMORE AT TULLY AND AT COLLEGE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for modifying the traffic signals on Briggsmore at Tully and at College

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on December 10, 1981, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of November, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-977

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE DIESEL FUELING FACILITY AT THE CITY SERVICE YARD

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the diesel fueling facility at the City service yard copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 24, 1981, at 11:10 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of November, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-978

A RESOLUTION ACCEPTING THE BID OF BIBENS NURSERY CO. FOR THE INSTALLATION OF LANDSCAPING AND IRRIGATION SYSTEMS FOR VARIOUS WATER PUMP STATIONS AND ONE LIFT STATION

WHEREAS, Resolution No.81-908, adopted by the Council of the City of Modesto on October 13, 1981, approved the plans and specifications for the installation of landscaping and irrigation systems for various water pump stations and one lift station and authorized the calling for bids; and

WHEREAS, the bids received for the installation of landscaping and irrigation systems for various water pump stations and one lift station were opened at 11:00 a.m. on October 27, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Bibens Nursery Co. in the amount of $31,215 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Bibens Nursery Co. in the amount of $31,215 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of November, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-979

A RESOLUTION ACCEPTING THE BID OF STANISLAUS PUMP FOR THE REPIPING OF THE ROSE-CELESTE LIFT STATION

WHEREAS, Resolution No. 81-907, adopted by the Council of the City of Modesto on October 13, 1981 , approved the plans and specifications for the repiping of the Rose-Celeste lift station
and authorized the calling for bids; and

WHEREAS, the bids received for the repiping of the Rose-Celeste lift station
were opened at 11:05 a.m. on October 27, 1981 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Stanislaus Pump in the amount of $179,079
be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Stanislaus Pump in the amount of $179,079
be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of November , 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-980

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF DIGESTER CLEANING SERVICES FROM NATIONAL DIGESTER CLEANING SERVICES, INC.

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of digester cleaning services is hereby waived.

BE IT FURTHER RESOLVED that purchase of digester cleaning services from National Digester Cleaning Services, Inc. for the total amount of $21,600 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of November, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-981

A RESOLUTION APPROVING SUBSTITUTION OF SUBCONTRACTOR BY STANISLAUS PUMP, MACHINERY AND CONSTRUCTION CORP., CONTRACTOR FOR T-HANGAR "J" PROJECT AT THE MODESTO CITY-COUNTY AIRPORT

WHEREAS, the City of Modesto has contracted with Stanislaus Pump, Machinery and Construction Corp. for the T-Hangar "J" project at the Modesto City-County Airport; and

WHEREAS, a portion of the contract involves concrete work, with C.M. Pace Concrete originally submitted as the subcontractor for the concrete work; and

WHEREAS, C.M. Pace and Stanislaus Pump, the prime contractor, have been unable to agree on terms of a subcontract for concrete work.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the substitution of Stanislaus Pump, Machinery and Construction Corp. as the concrete subcontractor in lieu of C.M. Pace Concrete for the T-Hangar "J" project at the Modesto City-County Airport.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of November, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-982

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WAYNE R., MARY S., AND ROY WAYNE HAMPTON FOR WATER SERVICE TO PROPERTY OUTSIDE OF CITY LIMITS AT 3336-3344 OAKDALE ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Wayne R., Mary S. and Roy Wayne Hampton **for** water service to property outside of City limits at 3336-3344 Oakdale Road located on the east side of Oakdale Road between Floyd Avenue and Sylvan Avenue **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** November, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-983

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOSEPH DEANNA TO LEASE THE FORMER DR. ANDERSON PROPERTY AND PARTS OF THE FORMER SOMMERFELD AND KOUNIAS PROPERTIES, ALL AS PART OF PROPOSED DRY CREEK PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Joseph Deanna to lease the former Dr. Anderson property and parts of the former Sommerfeld and Kounias properties, all as part of proposed Dry Creek Park

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** November, **19**81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-984

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOSEPH DEANNA FOR LEASING A PORTION OF THE FORMER KOUNIAS PROPERTY IN PROPOSED DRY CREEK PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Joseph DeAnna

for the lease of a portion of the former Kounias property in proposed Dry Creek Park

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** November, 19 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-985

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOSEPH DEANNA FOR THE LEASE OF A PORTION OF THE FORMER MAXWELL PROPERTY IN THE PROPOSED DRY CREEK PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Joseph DeAnna

for the lease of a portion of the former Maxwell property in the proposed Dry Creek Park

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** November, **19**81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-986

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND GOTTSCHALK FLIGHT CENTER FOR A FIXED BASE OPERATOR LEASE AT THE MODESTO CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Gottschalk Flight Center **for** a fixed base operator lease at the Modesto City-County Airport **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** November, **19**81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-987

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ERNIE'S OFFICE SUPPLIES, 2900 STANDIFORD AVENUE FOR A PAY STATION FOR COLLECTION OF UTILITY BILLS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Ernie's Office Supplies, 2900 Standiford Avenue **for** a pay station for collection of utility bills **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** November, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-988

A RESOLUTION INITIATING PROCEEDINGS FOR THE PROPOSED ANNEXATION OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS CALIFORNIA-SPENCER ANNEXATION TO THE CITY OF MODESTO AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO. (PETITION INITIATED)

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by the owners of real property within territory in the County of Stanislaus requesting annexation of the California-Spencer Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by resolution dated October 21, 19 81, determined that said territory is uninhabited and approved the initiation of proceedings for annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code, a copy of which resolution is attached hereto as Exhibit A and made a part hereof by reference, and

WHEREAS, the terms and conditions of the proposed annexation, if any, are set forth in said resolution, and

WHEREAS, the reason or reasons for the proposed annexation in the proposal thereof submitted to the Commission are set forth in page 5 of the application, which page is attached hereto as Exhibit B and made a part hereof by reference, and

WHEREAS, the chief petitioners requesting said annexation as set forth in the application filed with the Commission are:

Name	Address
Westside Neighborhood Church c/o Carlton Wright	P. O. Box 2644 Modesto, California
Bob Green, et al.	304 Parry Avenue Modesto, California 95354
Mr. & Mrs. Fred Montoya and	904 Muriel Avenue Modesto, California 95351

WHEREAS, the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situated in the County of Stanislaus, State of California, and has been designated as _____ California-Spencer Annexation to the City of Modesto _____, the exterior boundaries of which are set forth in the description attached hereto as Exhibit C and made a part hereof by reference, and

WHEREAS, no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described territory to the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED AND NOTICE IS HEREBY GIVEN that the 8th day of December, 19 81, at the hour of 7:30 o'clock P.M. in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto be and is hereby fixed as the time and place for considering said annexation, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed.

1. Any such protest must be in writing, must be filed with the City Clerk at any time before the conclusion of the hearing on the proposed annexation, and must give the name and address of the owner of real property within such territory with the description and area of such property, in general terms.

2. The City Clerk shall cause a copy of this resolution to be published at least twice, but not more often than once a week in The Modesto Bee, a newspaper

of general circulation, published in the City of Modesto and in the County of Stanislaus and being the official newspaper of the City of Modesto. Said publications shall be commenced at least fifteen (15) days prior to the date set for the hearing.

3. The City Clerk of the City of Modesto shall also cause a copy of this resolution to be mailed to:

(a) Any person who has filed his name and address with the City Clerk and has requested such mailed notice;

(b) The chief petitioners, if any, as indicated in the petition initiating proceedings;

(c) To each affected city, county, and district; and

(d) To the executive officer of the Local Agency Formation Commission.

4. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of November, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Roo Campbell
Public Works Department

FORMATION COMMISION

RESOLUTION

Date: October 21, 1981 No. 81-57

Subject: CALIFORNIA-SPENCER ANNEXATION TO THE CITY OF MODESTO

On motion of Commissioner Starn, Seconded by Commissioner Garcia, and approved by the following vote,
Ayes: Commissioners: Starn, Garcia & Condit
Noes: Commissioners: --
Absent: Commissioners: Cannella, Draper & Muratore
Disqualified: Commissioners: Ulm
Abstaining: Commissioners: --

THE FOLLOWING RESOLUTION WAS ADOPTED:

WHEREAS, the Commission has conducted a public hearing on the proposed California-Spencer Annexation to the City of Modesto.

WHEREAS, notice of the said public hearing was given pursuant to Section 35055 of the California Government Code; and

WHEREAS, the Commission has, in evaluating the proposal, considered the report submitted by the Executive Officer and the factors set forth in Section 54796 of the California Government Code;

NOW, THEREFORE, BE IT RESOLVED that the Commission:

1. Certify that it has considered the Negative Declaration recommended by the County Environmental Review Committee;

2. Find that: (a) the territory involved in the proposal is uninhabited; (b) the proposal is consistent with all applicable local general plans; (c) the territory involved is within an area that is committed to urbanization; and (d) the approval of the proposal would not have a significant effect on the environment;

3. Order that the Negative Declaration be issued;

4. Designate the proposal as the California-Spencer Annexation to the City of Modesto;

5. Approve the proposal as submitted; and

6. Designate the City of Modesto as the conducting authority, and direct its city council to initiate annexation proceedings.

Exhibit "A"

OCT 1981
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2070-3

B. Attach a list which gives each address in the territory proposed for annexation.

See Attachment "B"

IX. JUSTIFICATION OF THE PROPOSAL

Please state the reason(s) the proponents have submitted the application, and explain why it should be approved.

In order to make the full range of City services available to serve existing and proposed development in the area, the proponents of this request would like their properties annexed to the City of Modesto.

Annexation of these properties will help fill in the "island" formed by the existing city limits in this area of Modesto.

Exhibit "B"

X. ENVIRONMENTAL ASSESSMENT

[All proposals submitted to LAFCO are subject to the provisions of the California Environmental Quality Act of 1970. This law, which is complex, basically requires LAFCO to assess the environmental impact of the annexation proposals which are submitted to it. The first step in the assessment process is the completion of an Initial Study. This is the responsibility of the applicant. The questions set forth below, and elsewhere in the application, constitute the Initial Study.

The Initial Study is reviewed by the Stanislaus County Environmental Review Committee, which has to determine whether an Environmental Impact Report (EIR) will have to be prepared on the project. If an EIR is required, LAFCO's consideration of the annexation proposal could be delayed for approximately 60 days. Therefore, it is essential that the Initial Study be carefully prepared. Inaccurate or superficial responses to the following questions could result in the refusal of the Executive Officer to accept the application for annexation.

In some cases, the city to which annexation is proposed--not LAFCO--is responsible for conducting the environmental assessment. One such case is when the city has prezoned the land involved in the annexation. If the city is the "lead agency," the applicant need not answer the following questions. It is recommended that the applicant contact the subject city or the LAFCO assistant executive officer to determine whether LAFCO or the city is the "lead agency."]

A. Please answer the following questions concerning the proposed annexation's possible effects.

Could the project--	Yes	No	If yes, discuss degree of effect.
1. affect climate?		X	
2. affect local or regional air quality?		X	
3. have substantial effects on, or be affected by, ambient noise levels?		X	
4. remove prime soils?		X	
5. remove land from agricultural use?		X	
6. increase erosion or cause siltation?		X	

All that real property in the State of California, County of Stanislaus, being a portion of the North half of Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the most Southeasterly corner of the MARK TWAIN ADDITION (70), as per description filed June 22, 1956, as Instrument 17230, Stanislaus County Records;

1. thence along the existing City Limits and an Eastern line of said ADDITION (70), North 00° 11' 30" West, 200.00 feet, to the Southwestern corner of the EMERALD GARDENS ADDITION (126), as per description filed February 5, 1962, as Instrument 4485, Stanislaus County Records;

2. thence continuing along the existing City Limits on the Southern line of said ADDITION (126), North 89° 54' 07" East, 372.97 feet, to the Southeastern corner of said ADDITION (126), said point also being on the Northwestern line of the 100.00 foot Modesto Irrigation District Lateral No. 5;

3. thence continuing along the existing City Limits on the Southeastern line of said ADDITION (126), and said Northwestern line of the Modesto Irrigation District Lateral No. 5, North 34° 36' 52" East, 31.19 feet, to the Southwestern corner of the SPENCER ADDITION (144), as per description filed January 7, 1963, as Instrument 668, Stanislaus County Records;

4. thence continuing along the existing City Limits on the Southern line of said ADDITION (144), North 89° 54' 07" East, 918.22 feet, to the Southeastern corner of said ADDITION (144) and a point on the Western line of 40.00 foot Spencer Avenue;

5. thence continuing along the existing City Limits on the Eastern line of said ADDITION (144), and said Western line of Spencer Avenue, North 00° 10' 37" East, 518.33 feet, to the Northeastern corner of said ADDITION (144);

6. thence leaving the existing City Limits on the Easterly extension of the Northern line of said ADDITION (144), North 89° 57' 07" East, 20.00 feet, to the centerline of said 40.00 foot Spencer Avenue;

7. thence along said centerline of Spencer Avenue, South 00° 10' 37" West, 758.95 feet to the East-West quarter section line of said Section 31, and the center line of 60 foot California Avenue;

8. thence along said East-West quarter section line of Section 31, and said center line, South 89° 54' 07" West, 1327.44 feet, to its intersection with the Southerly extension of said Eastern line of ADDITION (70);

9. thence along said Southerly extension of the Eastern line of ADDITION (70), North 00° 11' 30" West, 15.00 feet, to the point of beginning, containing 7.331 Acres, more or less.

Exhibit "C"

MODESTO CITY COUNCIL
RESOLUTION NO. 81-989

A RESOLUTION OF INTENTION TO VACATE AND ABANDON A PORTION OF VENEMAN AVENUE BETWEEN M.I.D. LATERAL NO. 7 AND VENEMAN AVENUE NORTH.

WHEREAS, the City Council has referred to the Planning Commission for report and recommendation the proposed vacation and abandonment of a portion of Veneman Avenue between M.I.D. Lateral No. 7 and Veneman Avenue North, and

WHEREAS, a title report was prepared which vests fee title to the street right-of-way in adjacent land owners who are proponents of the abandonment, and

WHEREAS, the proposed street abandonment has been referred to affected City departments and local utility companies, and no objection to the abandonment has been received subject to retention of appropriate easements for existing utility lines and access by bicycles and emergency vehicles, and

WHEREAS, notices of an informal public hearing to consider the proposed street abandonment were posted in the area and said hearing was held on October 5, 1981 by the Planning Commission of the City of Modesto and was continued to October 26, 1981, and

WHEREAS, the Planning Commission by Resolution No. 81-235, adopted on October 26, 1981, found and determined as follows:

1. That vacation and abandonment of a portion of Veneman Avenue as requested would close the intersection of Veneman Avenue with Standiford Avenue and substantially reduce the volume of traffic using the 60-foot collector street as a route to and from Vintage Faire regional shopping center.

2. That access for utility service vehicles and right-of-way for utility lines should be retained by reserving a public utility easement over the abandoned area.

3. That access over the abandoned area for bicycle, pedestrian, and emergency vehicle use should be retained by reserving an appropriate easement.

4. That the street right-of-way proposed to be abandoned is not needed to serve present or future automotive traffic needs in the area.

5. That the abandonment should not occur until Hahn Drive is opened to Veneman Avenue to avoid transferring Veneman Avenue traffic to adjacent residential streets.

and

WHEREAS, the Planning Commission, by said Resolution No. 81-235, adopted on October 26, 1981, recommended to the Council the vacation and abandonment of a portion of Veneman Avenue between M.I.D. Lateral No. 7 and Veneman Avenue North, subject to the following conditions:

1. That a public utility easement shall be retained over the entire 20-foot street right-of-way to be abandoned.

2. That a 20-foot wide easement for bicycle, pedestrian, and emergency access shall be retained over the area to be abandoned.

3. That not less than two weeks prior to final abandonment action by the City Council, Hahn Drive shall be extended to connect with Veneman Avenue in accordance with plans on file in the office of the Director of Public Works.

4. That final abandonment action shall not be taken by the City Council until such time as the Stanislaus County Board of Supervisors takes action or indicates its intention of vacating and abandoning the southerly 30 feet of Veneman Avenue adjacent to the portion to be abandoned by the City.

5. That upon abandonment by the City Council the Director of Public Works be authorized and directed to construct appropriate barriers to physically close the abandoned right-of-way to vehicular traffic at its intersection with Standiford Avenue and at the point of abandonment west of M.I.D. Lateral No. 7.

6. That plan for bicycle and pedestrian crossing of M.I.D. Lateral No. 7 be reviewed and approved by the M.I.D.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The Council of the City of Modesto hereby declares its intention to vacate and abandon a portion of Veneman Avenue between M.I.D. Lateral No. 7 and Veneman Avenue North, in the City of Modesto, as shown on the drawing entitled "Vacate and Abandon a Portion of Veneman Avenue at Block 13455 LD 80-C" dated April 29, 1980,

on file in the office of the City Clerk, and as described on Exhibit "A" attached hereto, and by this reference made a part hereof as though set forth in full herein, subject to the conditions hereinabove set forth.

SECTION 2. The Council of the City of Modesto hereby elects to proceed with the proposed vacation and abandonment referred to above, pursuant to the provisions of Division 9, Part 3, Chapter 3, of the Streets & Highways Code of the State of California.

SECTION 3. Notice is hereby given that Tuesday, November 24, 1981, at the hour of 7:30 p.m., in the Council Chambers, 801 11th Street, Modesto, California, is hereby fixed as the time and place for hearing all persons interested in or objecting to the proposed vacation and abandonment.

SECTION 4. The City Clerk is hereby directed to cause to be published in full in The Modesto Bee, the official newspaper of the City of Modesto, the date, place, and hour of said hearing once each week for two (2) successive weeks before the date set for said hearing.

SECTION 5. The Director of Planning and Community Development is hereby directed to cause notices of the proposed street vacation and abandonment to be posted conspicuously along the line of the street proposed to be vacated and abandoned at least fourteen (14) days before the date set for the hearing. At least three (3) such notices shall be posted. Such notices shall state the passage of this Resolution of Intention, the time and place for hearing, and shall describe the street right-of-way proposed to be abandoned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of November, 1981, by Councilmember Lang, who moved its adoption, which motion being duly

seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Roo Campbell
Public Works Department

LD 80-C
Parcel 13455-4

VACATE AND ABANDON A PORTION OF VENEMAN AVENUE
AT BLOCK 13455.

All that real property in the State of California, County of Stanislaus, City of Modesto, being a portion of the Northeast quarter of Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

COMMENCING at the Northeastern corner of Lot 1, Block 13420 of SUNSET COUNTRY ESTATES, according to the Official Map thereof, filed for record in Volume 24 of Maps, Page 4, Stanislaus County Records; thence North 88° 57' 40" East along the Southern right of way line of Veneman Avenue, a distance of 126.37 feet; thence Easterly 205.68 feet along a tangent curve, concave to the North, having a Radius of 700.00 feet and a Central Angle of 16° 50' 06" to a point on the centerline of Veneman Avenue, being also the East-West Quarter Section Line of Section 12, from which point a radial line bears North 17° 52' 26" West to the center, being the True Point of Beginning of this description; thence Easterly 60.50 feet along a tangent curve, concave to the North, having a Radius of 700.00 feet and a Central Angle of 4° 57' 06" to the North right of way line of Veneman Avenue; thence North 88° 57' 40" East along said North right of way line, to a point on the Northwesterly right of way line of Modesto Irrigation District Lateral No. 7; thence Southwesterly along said Northwesterly right of way to a point on said Centerline of Veneman Avenue; thence South 88° 57' 40" West along said centerline to the Point of Beginning.

Reserving all of the above as a Public Utilities Easement and as an Easement for Pedestrian, Bicycle, and Emergency Vehicle Access.

Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 81-990

A RESOLUTION DENYING THE APPEAL FILED BY BRIGHT DEVELOPMENT FOR AN AMENDMENT TO SECTION 12-3-8 OF THE ZONING MAP TO REZONE FROM R-1 TO P-D FOR 360 APARTMENT UNITS, PROPERTY LOCATED ON THE SOUTH SIDE OF VENEMAN AVENUE WEST OF HAHN DRIVE (BRIGHT DEVELOPMENT).

WHEREAS, a verified application for an amendment to Section 12-3-8 of the Zoning Map was filed by Bright Development on August 21, 1981, to reclassify from Low Density Residential Zone, R-1, to Planned Development Zone, P-D, to allow a 360 unit apartment complex, property located on the south side of Veneman Avenue west of Hahn Drive described as follows:

> Parcel D as shown and as designated on that certain Parcel Map filed December 20, 1976 in Volume 24 of Parcel Maps, at page 12, being a portion of lot 4 of McKinney Colony, as per map filed November 21, 1903 in Volume 1 of maps at page 57.
>
> Including the southerly 30 feet of Veneman Avenue and the northerly 50 feet of the Modesto Irrigation District Lateral No. 7 immediately adjacent to said Parcel D.

and

WHEREAS, a public hearing was held by the Planning Commission on October 5, 1981 in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, the Planning Commission certifies it has received and reviewed the findings of the City of Modesto Environmental Assessment Committee which resulted in a Negative Declaration in regard to the environmental impact of the proposed rezoning, and

WHEREAS, the Planning Commission, by its Resolution No. 81-230 found and determined that rezoning of the property as requested

was not required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D Zoning seeks an excessively high density for the area which is designated for R-2 density residential development, on the McKinney Colony Neighborhood Zoning and Development Plan.

2. The extra traffic generated by this high density would allow a worsening of the already difficult traffic problems in the immediate area.

and

WHEREAS, an appeal was filed with the City Council of the City of Modesto by Bright Development on October 7, 1981, to the decision of the Planning Commission denying the application to rezone from low density residential zone, R-1, to Planned Development Zone, P-D, for a 360 unit apartment project, property located on the south side of Veneman Avenue, West of Hahn Drive, and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, at 7:30 p.m. on Tuesday, November 10, 1981, and

WHEREAS, at said meeting, after hearing evidence both oral and documentary, the Council found and determined that the appeal filed by Bright Development to the decision of the Planning Commission denying an amendment to Section 12-3-8 of the Zoning Map to rezone from R-1 to P-D for a 360 unit apartment project, property located on the south side of Veneman Avenue west of Hahn Drive, should be denied for the reasons set forth in Planning Commission Resolution No. 81-230, and quoted above, and that the decision of the Planning Commission denying the requested rezoning should be affirmed, and

WHEREAS, the City Council, at said Council meeting, reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed rezoning,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by Bright Development to the decision of the Planning Commission, as set forth in Planning Commission Resolution No. 81-230 denying an amendment to Section 12-3-8 of the Zoning Map to rezone from R-1 to P-D for 360 apartment units, property located on the south side of Veneman Avenue west of Hahn Drive, is denied, for the reasons set forth in Planning Commission Resolution No. 81-230 and quoted above, and the decision of the Planning Commission denying the requested rezoning is hereby affirmed.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed rezoning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Lang, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	Elliott, Patterson
ABSENT:	Councilmembers:	Muratore

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-991

A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE BUS REFUELING FACILITY AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of the bus refueling facility

has been completed by Roy Pippin Construction

in accordance with the contract agreement dated July 7, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of the bus refueling facility

be accepted from said contractor, Roy Pippin Construction;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $30,455.71 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-992

A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE WATERLINE EXTENSION IN LINCOLN OAK DRIVE AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of the waterline extension in Lincoln Oak Drive has been completed by W. Gale Fisher, Inc.

in accordance with the contract agreement dated February 3, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of the waterline extension in Lincoln Oak Drive be accepted from said contractor, W. Gale Fisher, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $12,858.02 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-993

A RESOLUTION APPROVING SUBSTITUTION OF SUBCONTRACTOR BY WESTERN PIPELINE, INC., CONTRACTOR FOR THE WEST TRUNK SEWER PROJECT

WHEREAS, the City of Modesto has contracted with Western Pipeline, Inc., for construction of the West Trunk Sewer; and

WHEREAS, a portion of the contract involves paving work, with The Flintkote Company originally submitted as the subcontractor for the work; and

WHEREAS, The Flintkote Company has withdrawn their quote to Western Pipeline, Inc., and therefore the prime contractor is unable to enter into a subcontract with The Flintkote Company for the work.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the substitution of Lee White Paving Company, as the paving subcontractor in lieu of The Flintkote Company on the West Trunk Sewer Project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1981, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-994

A RESOLUTION ACCEPTING THE BID OF L.N. CURTIS AND SONS FOR FURNISHING A REPLACEMENT FIRE HOSE

WHEREAS, Resolution No.81-887, adopted by the Council of the City of Modesto on October 6, 1981 , approved the plans and specifications for the purchase of a replacement fire hose and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of a replacement fire hose were opened at 2:00 p.m. on October 27, 1981 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of L.N. Curtis and Sons in the amount of $19,376.80 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of L.N. Curtis and Sons in the amount of $19,376.80 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November , 19 81 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-995

A RESOLUTION AUTHORIZING THE USE OF THE SCHOOL SITE AND FACILITIES TAX FUND OF THE CITY OF MODESTO FOR ACQUISITION OF PROPERTY FOR THE PROPOSED EXPANSION OF THE MODESTO HIGH SCHOOL SITE.

WHEREAS, the Modesto High School District of Stanislaus County has proposed to expand the Modesto High School site by the acquisition of the Washington Elementary School site from the Modesto City School District of Stanislaus County, a small park area owned by the City of Modesto and four privately owned parcels, and

WHEREAS, the City Council's Public Project Committee has recommended that said acquisitions by the Modesto High School District of Stanislaus County be funded from the City's School Site and Facilities Tax Fund.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that it hereby accepts the recommendation of the Public Projects Committee and authorizes the use of moneys from the City of Modesto's School Site and Facilities Tax Fund for acquisition of property for the proposed expansion of the Modesto High School site.

BE IT FURTHER RESOLVED that after the Modesto High School District of Stanislaus County has acquired all of the properties for said expansion of the Modesto High School site, the City of Modesto will reimburse the Modesto High School District of Stanislaus County for the various properties in amounts which are consistent with the appraised value of the various properties as set forth in the appraisal obtained by the City of Modesto from Robert Crisp dated October 24. 1981.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Siefkin, Mayor Mensinger

NOES: Councilmembers: Patterson

ABSENT: Councilmembers: Lang, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-996

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND NEWMAN AND ASSOCIATES AND FIRST INTERSTATE BANK AS UNDERWRITERS FOR ISSUANCE OF MULTIFAMILY MORTGAGE REVENUE BONDS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Newman and Associates and First Interstate Bank as underwriters for issuance of multifamily mortgage revenue bonds

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** November**, 19** 81**, by Councilmember** Bright**, who moved its adoption, which motion being duly seconded by Councilmember** Lang**, was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-997

A RESOLUTION ESTABLISHING A FILING FEE FOR APPLICATIONS FOR SUMMARY ABANDONMENT OF PUBLIC RIGHTS OF WAY OR EASEMENTS.

BE IT HEREBY RESOLVED by the Council of the City of Modesto:

1. A filing fee of $95.00 for each application filed with the City of Modesto for summary abandonment of a public right of way or easement is hereby established.

2. Said filing fee shall be paid at the same time as the application for summary abandonment is filed, except that public agencies shall be exempt from such fees.

3. All requests for summary abandonment shall be made to the Director of Public Works, who will consider the request and determine whether to refer it to the City Council for consideration.

4. In the event the Director of Public Works determines that a title report is required, it shall be furnished by the applicant prior to consideration by the City Council.

BE IT FURTHER RESOLVED that this resolution shall become effective on and after January 4, 1982.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM: Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-998

A RESOLUTION ESTABLISHING FEES AND CHARGES FOR DOCUMENTS, MAPS, PRINTS, TRANSCRIPTS, ETC. OBTAINED FROM THE CITY OF MODESTO.

WHEREAS, upon request, documents, maps, prints, transcripts, etc. are made available to the public by various departments of the City, and

WHEREAS, the Council has periodically established fees and charges for obtaining said documents, maps, prints, transcripts, etc., and

WHEREAS, the Council has determined that some of said fees and charges need to be updated,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The fees and charges set forth on Exhibit "A", which is attached hereto and made a part hereof as if set forth herein, are hereby established for the documents, maps, prints, transcripts, etc. listed thereon, and which are obtained from the City of Modesto.

SECTION 2. No fees or charges shall be charged to governmental agencies which obtain documents, maps, prints, transcripts, etc.

SECTION 3. Resolution No. 79-760 is rescinded effective January 4, 1982.

SECTION 4. This resolution shall become effective on and after January 4, 1982.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and

the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

FEES AND CHARGES
FOR VARIOUS CITY OF MODESTO DOCUMENTS, MAPS, PRINTS, TRANSCRIPTS, ETC.

	Rates
I. Modesto Municipal Code	
A. Municipal Code (without binder)*	$50.00
B. Municipal Code binder, each*	8.50
C. Continuing Code service, per year*	50.00
D. Individual Subjects/Titles/Articles:*	
1. Business, Professions & Trades	1.75
2. C.A.T.V.	1.00
3. Charter	1.75
4. Health	1.25
5. Planning & Zoning	12.50
6. Public Utilities	2.50
7. Public Works	1.50
8. Sales, Use & Admissions Tax	2.25
9. Sign Regulations	1.50
10. Subdivision of Land	2.00
E. Individual Code pages**	.06
II. Copies of Official City Documents:	
A. First copy, per page	.25
B. Additional copies, per page	.10
III. Transcripts	hourly rate for clerical time plus overhead
(When an appeal is filed from a decision rendered by an official body of the City, the appellant will be furnished with one copy of the transcript of those portions of any official meeting held by said body relating to the decision rendered, at no charge.)	
IV. Base maps and zoning maps of the City of Modesto at a scale of one inch equals one thousand feet (1" = 1000')*	2.00
V. Copies of tentative and final subdivision maps and parcel maps -- printing fees per sheet:*	
A. Mylar	5.10
B. Sepia	1.50
C. Blue-line	.26

*Plus sales tax
**The City Clerk is authorized to not charge persons requesting a small number of individual Code pages.

wpc

Exhibit "A"

	Rates
VI. Prints made by Itek Machine and microfilm slides made with 3-M Camera:*	
A. One microfilm slide	$ .50
B. Duplicate copy of microfilm slide made at the same time, each	.25
C. One print on Itek machine, 18" x 24"	2.50
D. Additional print on Itek machine, 18" x 24", made at the same time, each	1.50
VII. Sewer Service Area map, 1 map	2.50
Additional copy, each	1.50

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 999

A RESOLUTION ESTABLISHING FILING FEES FOR SUBDIVISION AND PARCEL MAPS.

WHEREAS, Section 4-4.106 of the Modesto Municipal Code, provides that the Council, by resolution, shall establish filing fees for the processing of tentative and final subdivision and parcel maps and for other procedures required or authorized by Chapter 4 of Title IV of the Modesto Municipal Code,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. FEES. Filing fees for maps and procedures required and authorized by Chapter 4 of Title IV of the Modesto Municipal Code are hereby established as follows:

(a)	Reversion to acreage	$100.00
(b)	Final parcel map checking fee	190.00
(c)	Final (subdivision) map checking fee for subdivisions of 10 or less lots	190.00
(d)	Final (subdivision) map checking fee for subdivisions of 10 or more lots	190.00
	Plus per each lot in excess of 10	3.00
(e)	Parcel map improvement plan check fee	50.00
(f)	Subdivision improvement plan check fee for subdivisions of 10 or less lots	90.00
(g)	Subdivision improvement plan check fee for subdivisions of 10 or more lots	90.00
	Plus each lot in excess of 10	1.00
(h)	Property owners' association document checking fee	90.00

SECTION 2. REPEALS. Resolution No. 79-759 adopted by the Council on July 24, 1979, is rescinded effective January 4, 1982.

SECTION 3. EFFECTIVE DATE. This resolution shall become effective on and after January 4, 1982.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1000

A RESOLUTION ESTABLISHING FILING FEES FOR ZONE BOUNDARY CHANGES, USE PERMITS, VARIANCES, ENVIRONMENTAL REVIEW, AND OTHER APPLICATIONS.

WHEREAS, Section 10-2.2204 of the Modesto Municipal Code provides that the Council by resolution, shall establish filing fees for each application filed pursuant to Chapter 2 of Title X of said Code, and

WHEREAS, Sections 4-10.01 et seq of the Modesto Municipal Code and the "City of Modesto Environmental Review Guidelines for Compliance with the California Environmental Quality Act" permit charges for environmental review,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. FEES. The following filing fees and environmental review fees are hereby established:

(a)	P-D Zoning	$330.00
(b)	Amend P-D Zone	170.00
(c)	Rezoning	300.00
(d)	Unclassified Use Permit	330.00
(e)	Plot Plan Review	120.00
(f)	Conditional Use Permit	
	- family care home, child day care, rest home, pigeon loft on a lot with a single family house in the R-A, R-1, R-2 or R-3 zone	50.00
	- for one sign	190.00
	- all others	190.00
(g)	Variance	
	- on a lot with a single family house in the R-A, R-1, R-2 or R-3 zone	50.00
	- for one sign	190.00
	- all others	190.00
(h)	Tentative Subdivision Map	150.00
(i)	Tentative Parcel Map	150.00
(j)	Reversion to Acreage	150.00
(k)	Parcel Map Waiver	150.00
(l)	Lot Line Adjustment	25.00

(m)	Environmental Assessment	
	- initial study	$ 60.00
	- Environmental Impact Report	Actual Cost
	- Environmental Impact Report deposit	$1,000 advance deposit. Refund or balance due upon completion of final EIR
(n)	Appeals	
	- of Planning Commission or Board of Zoning Adjustment	$ 25.00
	- of administrative decisions	25.00
(o)	Home occupation Permit	
	- initial and renewals	free

SECTION 2. EXEMPTIONS. Public agencies shall be exempt from all the above fees except those fees required for the preparation of Environmental Impact Reports; provided, however, that public agencies do not have to make an advance deposit for Environmental Impact Report preparation.

SECTION 3. REPEALS. Resolutions No. 77-437 and 77-836 are rescinded effective January 4, 1982.

SECTION 4. EFFECTIVE DATE. This resolution shall become effective on and after January 4, 1982.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried

and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1001

A RESOLUTION ESTABLISHING A FILING FEE FOR APPLICATIONS FOR ABANDONMENT OR VACATION OF PUBLIC RIGHTS OF WAY OR EASEMENTS AND RESCINDING RESOLUTION NO. 69-213

BE IT HEREBY RESOLVED by the Council of the City of Modesto:

1. A filing fee of $530.00 for each application filed with the City of Modesto for vacation and abandonment of a public right of way or easement except public walkways is hereby established.

2. A filing fee of $75.00 for each application filed with the City of Modesto for vacation and abandonment of a public walkway is hereby established.

3. Said filing fee shall be paid at the same time as the application for vacation or abandonment is filed, except that public agencies shall be exempt from such fees.

4. All requests for abandonment shall be made to the Council, which will refer the request to the Planning Commission. Following a public hearing, the Planning Commission will make a recommendation to the Council which will also hold a public hearing and consider the request.

5. In the event staff determines that a title report is required, it shall be furnished by the applicant prior to consideration by the Planning Commission.

BE IT FURTHER RESOLVED that Resolution No. 69-213 is rescinded effective January 4, 1982.

BE IT FURTHER RESOLVED that this resolution shall become effective on and after January 4, 1982.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1002

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND NANCY YOUNG TO PROVIDE PROFESSIONAL SERVICES TO THE DID AS AN INDEPENDENT CONTRACTOR

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Nancy Young to provide professional services to the Downtown Improvement District as an independent contractor rather than as a City employee

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** November, **19**81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1003

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $225,000 FROM RESERVE TO COMPLETE REQUIRED FINANCING FOR CURBS, GUTTERS, AND SIDEWALKS IN HOUSING MAINTENANCE PROGRAM TARGET AREA NO. 3

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Reserve for Loan Programs (61.08 8911 11)	$225,000
TO:	Improvements - Curbs, Gutters and Sidewalks (6800.00 7101 11)	$225,000

Call for bids to complete work in Target area #3 was authorized by City Council on 10/27/81. A transfer from the Loan Reserve is necessary to provide current year financing for this project which originally had funding approved for the balance of the work in the 1982-83 CIP.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** November, 19 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1004

A RESOLUTION OF INTENTION TO VACATE AND ABANDON A PORTION OF THE 30-FOOT PUBLIC ALLEY IN BLOCK 1405 WHICH EXTENDS SOUTH FROM SURREY AVENUE, EAST OF OAKDALE ROAD. (G. O. ENTERPRISES)

WHEREAS, the City Council has received a request from G. O. Enterprises, the adjacent property owner, to vacate and abandon the westerly 10 feet of the 30-foot north-south public alley in Block 1405 which extends south from Surrey Avenue, east of Oakdale Road, and

WHEREAS, a title report was submitted with the abandonment request which vests fee title to the alley right-of-way in G. O. Enterprises, the proponent of the abandonment, and

WHEREAS, at its meeting on October 6 , 1981, the City Council referred said alley abandonment request to the Planning Commission for a report and recommendation, and

WHEREAS, the proposed alley abandonment request has been referred to all affected City departments and local utility companies, and no objection to the abandonment has been received subject to retention of a public utility easement over the abandoned area, and

WHEREAS, the Planning Commission, by Resolution No. 81-241, adopted on November 2, 1981, found and determined as follows:

1. That access to the alley from adjacent commercial property has been denied by conditions of Planned Development Zoning and the proposed 20-foot alley width to remain is adequate to serve adjacent residential development.

2. That retention of a 10-foot public utility easement over the abandoned area is necessary to serve existing utility lines.

3. That the 10 feet of alley proposed to be abandoned is not necessary to serve present or future traffic needs in the area.

and

WHEREAS, the Planning Commission, by said Resolution No. 81-241, adopted on November 2, 1981, recommended to the Council that the westerly 10 feet of the 30-foot north-south public alley in Block 1405 which extends south from Surrey Avenue, east of Oakdale Road in the City of Modesto, be vacated and abandoned, subject to the following condition:

> That the entire 10-foot wide strip of alley to be abandoned shall be retained as a public utility easement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The Council of the City of Modesto hereby declares its intention to vacate and abandon the westerly 10 feet of the 30-foot north-south public alley in Block 1405 which extends south from Surrey Avenue, east of Oakdale Road, in the City of Modesto, as shown on the drawing entitled "Vacate and Abandon a Portion of the 30-foot alley in Block 1405 - LD 81-J", dated November 4, 1981, on file in the office of the City Clerk, and as described on Exhibit "A" attached hereto, and by this reference made a part hereof as though set forth in full herein, subject to the condition hereinabove set forth.

SECTION 2. The Council of the City of Modesto hereby elects to proceed with the proposed vacation and abandonment referred to above, pursuant to the provisions of Division 9, Part 3, Chapter 3, of the Streets and Highways Code of the State of California.

SECTION 3. Notice is hereby given that Tuesday, December 8, 1981, at the hour of 7:30 p.m. in the Council Chambers, 801 11th Street, Modesto, California, is hereby fixed as the time and place for hearing all persons interested in or objecting to the proposed vacation and abandonment.

SECTION 4. The City Clerk is hereby directed to cause to be published in full in The Modesto Bee, the official newspaper of the City of Modesto, the date, place, and hour of said hearing once each week for two (2) successive weeks

before the date set for said hearing.

SECTION 5. The Director of Planning and Community Development is hereby directed to cause notices of the proposed alley vacation and abandonment to be posted conspicuously along the line of the alley proposed to be vacated and abandoned at least fourteen (14) days before the date set for the hearing. At least three (3) such notices shall be posted. Such notices shall state the passage of this Resolution of Intention, the time and place for hearing, and shall describe the alley right-of-way proposed to be abandoned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn I. Johnson
ELWYN I. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By E. J. Walker for Russ Campbell
Public Works Department

LD 81-J
Parcel 1405-1

VACATE AND ABANDON A PORTION OF THE
30-FOOT ALLEY IN BLOCK 1405

All that real property in the State of California, County of Stanislaus, City of Modesto, being a portion of the Southwest quarter of Section 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Northeastern corner of Block 1405 of the SCENIC VILLAGE UNIT NO. 1 Subdivision, as per map filed August 19, 1964 in Volume 20 of Maps, Page 82, Stanislaus County Records; thence along the Eastern line of said Block 1405 and its Southerly prolongation, said line being the Western line of a 30.00 foot North-South alley, South 00° 51' 45" East, 468.87 feet; thence North 89° 57' 15" East, 10.00 feet, to a point on a line which is parallel with and 10.00 feet, measured at right angles, Easterly from said Eastern line of Block 1405; thence along said parallel line, North 00° 51' 45" West, 468.88 feet, to a point on the Southern line of 60.00 foot Surrey Avenue; thence along said Southern line of Surrey Avenue, South 89° 53' 15" West, 10.00 feet, to the point of beginning.

RESERVING all of the above as a Public Utilities Easement.

Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1005

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND M.I.D. TO PERMIT THE DISCHARGE OF STORM WATER FROM THE NARAGHI LAKES DEVELOPMENT INTO M.I.D. FACILITIES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Modesto Irrigation District to permit the discharge of storm water from the Naraghi Lakes Development into M.I.D. facilities

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** November, **19**81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1006

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DONALD H. AND MARGARET D. SCOTT FOR THE LEASE OF A PORTION OF THE FORMER BOMBERGER PROPERTY - DRY CREEK PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Donald H. and Margaret D. Scott for the lease of a portion of the former Bomberger property - Dry Creek Park

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** November, **19**81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1007

A RESOLUTION SETTING TIME AND PLACE FOR HEARING BEFORE FILING A FEDERAL TRANSIT CAPITAL GRANT APPLICATION FOR A NEW BUS MAINTENANCE FACILITY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that December 15, 1981 , at 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** filing a Federal Transit Capital Grant application for a new bus maintenance facility.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** November, 19 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1008

A RESOLUTION AUTHORIZING THE TRANSFER OF SEVEN CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE TAXICABS FROM PENNIE HUDSON TO DENNIS MC DONALD.

WHEREAS, a request was filed with the Director of Parking and Traffic of the City of Modesto by Dennis McDonald and Pennie Hudson to transfer seven (7) certificates of public convenience and necessity to operate taxicabs in the City of Modesto from Pennie Hudson, doing business as "Modesto Cab Company", to Dennis McDonald, doing business as "Red Top Taxi", and

WHEREAS, said application was investigated by the Director of Parking and Traffic who has reported his findings in connection therewith,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. Transfer of seven (7) certificates of public convenience and necessity to operate taxicabs in the City of Modesto from Pennie Hudson, doing business as "Modesto Cab Company", to Dennis McDonald, doing business as "Red Top Taxi", is hereby authorized in accordance with Section 4-6.209 of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the

resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1009

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO AUTHORIZING THE ISSUANCE OF BONDS FOR THE PURPOSE OF MAKING LOANS TO LENDERS TO FINANCE MULTI-FAMILY RESIDENTIAL RENTAL STRUCTURES FOR OCCUPANCY BY PERSONS AND FAMILIES OF MODERATE INCOME.

WHEREAS, the City Council of the City of Modesto, California, (the "City") is authorized to issue and sell its bonds, notes, interim certificates, debentures or other obligations (the "Bonds") pursuant to the City Charter for the purpose of making loans to lending institutions or purchasing participation interests in mortgage loans from lending institutions in order to finance the acquisition, rehabilitation, construction and improvement of multi-family residential rental structures located within the City for occupancy by persons and families of moderate income, and

WHEREAS, Sacramento Savings and Loan Association, Fidelity Savings and Loan Association and other qualified lenders (the "Lenders") have requested the City to issue and sell its revenue Bonds for the purpose of making loans to the Lenders or purchasing participation interests in mortgage loans from lenders to permit them to undertake a financing program (the "Program") for the hereinafter described multi-family moderate income rental structures, including related and appurtenant facilities and property (the "Projects"), to be constructed by the Developers within the City, and

WHEREAS, the City Council wishes to induce the Lenders to undertake the Program and to induce the hereinafter described Developers to undertake the Projects, and

WHEREAS, it is in the public interest, for the public benefit and in furtherance of the public purposes of the City that the City Council authorize Bonds for the aforesaid purposes,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto, as follows:

1. The City Council hereby authorizes the issuance and sale to First Interstate Bank of California and Newman and Associates, Inc. of Bonds of the City pursuant to the City Charter and the procedures to be specified in an Ordinance in a principal amount of not to exceed $60,000,000 for the purpose of making loans to lenders or purchasing participation interests in mortgage loans from lenders in order to finance the acquisition, construction and improvement of the following described Projects, subject to completion of appropriate underwriting review and approval:

Cedar Creek	$1,800,000
Fara Estates	4,800,000
Floyd Park	875,000
Hollandia Corners	1,500,000
Tierra Plaza	4,000,000
Stonebridge	8,000,000

2. Authorization shall be for the purposes of inducing the Lenders to undertake the Program and to induce the foregoing described Developers to undertake the Projects.

3. The issuance and sale of said Bonds shall be upon such terms and conditions as may be mutually agreed upon by the City, the Lenders and First Interstate Bank of California and Newman and Associates, Inc., and shall be authorized by resolution of the City Council at a meeting duly held and conducted for such purpose.

4. The proceeds of the Bonds shall include such related and necessary expenses, administrative costs, debt service reserves and interest payments as may be required to accomplish successfully the financing.

5. The City Council encourages, subject to these terms and supplemental action by resolution, the addition of Lenders interested in this

program, the addition of Developers interested in this program, and additional projects.

6. This resolution shall take effect immediately upon its passage and adoption.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of November, 1981, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1010

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO APPROVING THE PRELIMINARY OFFICIAL STATEMENT FOR ITS RESIDENTIAL MORTGAGE REVENUE BONDS, AUTHORIZING ITS DISTRIBUTION AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

BE IT RESOLVED by the City Council of the City of Modesto, Stanislaus County, California, as follows:

WHEREAS, the City Council of the City of Modesto (the "City") proposes to engage in a home mortgage finance program (the "Program") pursuant to Part 5 of Division 31 of the Health and Safety Code of the State of California (the "Act") for persons and families within the income limits established by the Act and proposes to issue and sell its Residential Mortgage Revenue Bonds (the "Bonds") pursuant to the Act to provide funds for the Program;

WHEREAS, the prospective underwriters of the Bonds have caused to be prepared and presented to the City Council a preliminary official statement containing information material to the offering of the Bonds; and

WHEREAS, the City Council, with the aid of the staff, has reviewed the preliminary official statement, and has made such corrections and additions thereto as it deems proper;

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED, as follows:

1. The preliminary official statement is approved for distribution.

2. The underwriters, on behalf of the City, are authorized to cause the preliminary official statement to be distributed to municipal bond broker-dealers, to banking institutions and to members of the general public who may be interested in purchasing the bonds.

3. The City Manager of the City is authorized and directed to cause the preliminary official statement to be amended and supplemented from time to time, pending distribution of the preliminary official statement, as shall be required to cause the preliminary official statement to contain any further information necessary to accurately describe the bonds.

4. The final official statement relating to the Bonds shall be submitted to the City Council for approval.

5. This resolution shall take effect upon adoption.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of November, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1011

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (SUNNYSIDE NO. 2 ANNEXATION TO THE CITY OF MODESTO)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on October 13, 1981, duly adopted Resolution No. 81-925 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 225 be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, November 17, 1981, at the hour of 4:00 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the

Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 225 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 225 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 225, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 225, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of November, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Alfred Scowl
Public Works Department

130/000-00160-01/15/79

SUNNYSIDE NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the Sunnyside Addition (410), as per description filed July 26, 1979 as Instrument 6061, Stanislaus County Records, said point also being on the intersection of the centerline of 50 foot Scenic Drive and the South extension of the East line of Lot 29 of Sunnyside Acres subdivision recorded May 24, 1911 in Volume 5 of Maps, Page 45, Stanislaus County Records;

1. thence along an Eastern line of said Addition (410), North 00° 15' 00" West, 292.38 feet;

2. thence along a Southeastern boundary of said Addition (410), North 75° 23' 52" East, 136.65 feet, to the centerline of 40 foot Sunnyside Avenue

3. thence along an Eastern boundary of said Addition (410) and on the centerline of 40 foot Sunnyside Avenue North 00° 15' 00" West, 646.04 feet, to a Northeastern corner of said Addition (410);

4. thence along a Northern boundary of said Addition (410) North 89° 40' 00" West, 329.62 feet, to a Northeastern corner of the Coffee-Lucern No. 1Addition (343), as per description filed March 26, 1976, as Instrument 44153, Stanislaus County Records;

5. thence along a Northern boundary of said Addition (343), North 89° 40' 00" West, 284.62 feet, to the Eastern line of 90 foot Coffee Road;

6. thence along an Eastern boundary of said Addition (343) on said Eastern line of Coffee Road, North 00° 15' 00" West, 185.00 feet, to a Southwestern corner of Gould Addition (148), as per description filed February 5, 1963, as Instrument 4468, Stanislaus County Records;

7. thence along the Southern boundary of said Addition (148), and along the Northern line of 40 foot Lucern Avenue, South 89° 40' 00" East, 614.24 feet, to the Eastern line of said Addition (148) and the centerline of 40 foot Sunnyside Avenue;

8. thence along the Eastern line of said Addition (148), and along said centerline, North 00° 15' 00" West, 308.35 feet, to the Southern boundary of the Downey High School and John Muir School Addition (33), as per description filed July 27, 1950, as Instrument 16443, Stanislaus County Records;

9. thence along the Southern boundary of said Addition (33) and the Southern line of a 20 foot alley, South 89° 42' 00" East, 264.98 feet, to the Northwestern corner of the Irons Court Addition (380), as per description filed August 18, 1978, as Instrument 10692, Stanislaus County

Records;

10. thence along the Western boundary of said Addition (380), South 00° 17' 30" East, 329.74 feet;

11. thence along the Southern boundary of said Addition (380), South 89° 39' 30" East, 65.91 feet;

12. thence leaving the existing City Limits, South 00° 20' 00" East, 275.0 feet;

13. thence South 89° 40' 00" East, 329.62 feet, to the centerline of 40 foot Brighton Avenue, and a Western boundary of the Strathmore Addition (226), as per description filed February 13, 1969, as Instrument 4972, Stanislaus County Records;

14. thence along a Western line of said Addition (226), and along the centerline of said Brighton Avenue, South 00° 20' 00" East, 566.83 feet, to the centerline of 50 foot Scenic Drive;

15. thence leaving the existing City Limits along said centerline, South 76° 14' 00" West, 74.96 feet;

16. thence continuing along said centerline, South 69° 14' 00" West, 770.31 feet, to the point of beginning containing 17.973 Acres, more or less

CLERK'S CERTIFICATE

I, Judy C. Hall, Acting City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on November 17, 1981, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lang, seconded by Councilmember Bright, and adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: November 17, 1981

Judy C. Hall

Acting City Clerk of the City of Modesto, California

(SEAL)

(MSD-A2)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1012

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (WHITMORE NO. 3 ANNEXATION TO THE CITY OF MODESTO)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on October 13, 1981, duly adopted Resolution No. 81-927 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 226 be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, November 17, 1981, at the hour of 4:00 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the

Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 226 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 226 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 226, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 226, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of November, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Hensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Alfred Dawson
Public Works Department

130/000-00160-01/15/79

WHITMORE NO. 3 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 7 and the Southwest quarter of Section 8, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the WHITMORE NO. 2 ANNEXATION (430), as per description filed November 20, 1980, as Instrument 32240, Stanislaus County Records;

1. thence along the existing City Limits on the boundary of said ANNEXATION (430), South 00° 10' 00" East, 151.00 feet;

2. thence continuing along the existing City Limits on said boundary, North 89° 20' 00" West, 32.00 feet;

3. thence leaving the existing City Limits, North 89° 20' 00" West 481.23 feet, to the East line of the Southwest quarter of the Southwest quarter of Section 8;

4. thence along said quarter quarter section line, South 00° 10' 40" West, 1174.84 feet, to the South line of Section 8 and the center line of 40 foot Whitmore Avenue;

5. thence along said South line and center line, North 89° 29' 00" West, 1321.63 feet, to the Southwest corner of Section 8;

6. thence along said center line and the South line of Section 7, North 89° 50' 00" West, 14.00 feet;

7. thence along a line 14.00 feet Westerly and parallel with the West line of Section 8, North 00° 13' 00" East, 1329.41 feet, to the Westerly extension of the Southern line of the Rutherford Tract, as per map filed March 19, 1947 in Volume 16 of Maps, Page 37, Stanislaus County Records;

8. thence along said extension and Southern line, South 89° 20' 00" East, 952.40 feet, to the center line of 60 foot Rutherford Street;

9. thence along said center line, North 00° 13' 00" East, 170.00 feet, to the center line of 60 foot Lassen Avenue;

10. thence along said center line, South 89° 20' 00" East, 1024.67 feet, to the center line of 60 foot Guthrie Street;

11. thence along said center line, South 00° 13' 00" West, 170.00 feet, to a point on the existing City Limits and a Northern line of ANNEXATION (430);

12. thence along the existing City Limits and said Northern line, North 89° 20' 00" West, 130.00 feet, to the point of beginning, containing 46.468 Acres, more or less.

CLERK'S CERTIFICATE

I, Judy C. Hall, Acting City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on November 17, 19 81, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Bright, seconded by Councilmember Muratore, and adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: November 17, 1981

Judy C. Hall

Acting City Clerk of the City of Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1013

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF AMMUNITION PRODUCTS THROUGH THE CALIFORNIA STATE COOPERATIVE PURCHASING PROGRAM FOR THE BALANCE OF THE 1981-82 FISCAL YEAR

WHEREAS, the Modesto Police Department has an ongoing need for shotgun, rifle and pistol ammunition; and

WHEREAS, the best prices and deliveries for ammunition are available from the manufacturer through the California State Cooperative Purchasing Program.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of ammunition products for the balance of the 1981-82 Fiscal Year is hereby waived.

BE IT FURTHER RESOLVED that purchase of up to $12,000 in ammunition products through the California State Cooperative Purchasing Program for the balance of the 1981-82 Fiscal Year is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of November, 1981, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1014

A RESOLUTION ACCEPTING THE RE-**/CONSTRUCTION OF** PARKING LOT 2, OFF-SITE IMPROVEMENTS AS COMPLETE

WHEREAS, a repcrt has been filed by the Director of Parking and Traffic **that the** re-**/construction of** Parking Lot 2, off-site improvements **has been ccmpleted by** George Reed, Inc.

in accordance with the contract agreement dated August 4, 1981.

NOW, THEREFORE, BE IT RESOLVED that the re-**/construction of** Parking Lot 2, off-site improvements **be accepted from said contractor,** George Reed, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $13,500 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** November**, 19** 81**, by Councilmember** Siefkin**, who moved its adoption, which motion being duly seconded by Councilmember** Muratore**, was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1015

A RESOLUTION AUTHORIZING THE ACQUISITION OF A SURPLUS MILITARY AIRCRAFT FROM THE FEDERAL GOVERNMENT FOR DISPLAY PURPOSES AT THE MODESTO CITY-COUNTY AIRPORT.

WHEREAS, the City of Modesto wishes to mount a surplus military aircraft for display purposes at the Modesto City-County Airport/Harry Sham Field in honor of Modesto/Stanislaus County airmen who served in the armed forces of the United States.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby authorize City staff to request a surplus military aircraft from the United States Government for display at the Modesto City-County Airport/Harry Sham Field.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of November, 1981, by Councilmember Siefkin who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1016

A RESOLUTION APPROVING THE FINAL MAP OF THE OAKBROOK SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Oakbrook Associates is/are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 7.377 acres, known as the Oakbrook Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 17th day of March, 19 80, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Oakbrook Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct, and

WHEREAS, all the requirements of the California Subdivision Map Act regarding notice to tenants of the condominium conversion have been complied with, or conditions found excusing such compliance, and

WHEREAS, all public improvements required by the City of Modesto have been completed in said tract,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the improvements completed in said tract be accepted; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk

be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of November, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Patterson

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1017

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOE DIANNA FOR THE LEASE OF A PORTION OF THE FORMER SIMMS PROPERTY WHICH WAS PURCHASED FOR DRY CREEK PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Joe DiAnna

for the lease of a portion of the former Simms property which was purchased for Dry Creek Park

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** November, **19**81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1018

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOE DIANNA FOR THE LEASE OF THE FORMER HOGIN PROPERTY AND PART OF THE FORMER CRISMON PROPERTY WHICH WERE PURCHASED FOR DRY CREEK PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Joe DiAnna

for the lease of the former Hogin property and part of the former Crismon property which were purchased for Dry Creek Park

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** November, **19** 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1019

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND W.P. WESSON, JR., FOR THE LEASE OF THE FORMER W.P. WESSON, SR., PROPERTY WHICH WAS ACQUIRED FOR N.W. MCHENRY PARK SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and W.P. Wesson Jr.

for the lease of the former W.P. Wesson, Sr., property which was acquired for the N.W. McHenry Park site

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** November, **19** 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1020

A RESOLUTION AUTHORIZING AN APPLICATION FOR A GRANT FROM THE CALIFORNIA ENERGY COMMISSION TO PERFORM A FEASIBILITY STUDY FOR THE CONSTRUCTION OF A COGENERATION PLANT AND AUTHORIZING THE ACCEPTANCE BY THE CITY OF SUCH A GRANT.

WHEREAS, the California Energy Commission has issued Requests for Proposal No. 500-81-502 for a grant of $50,000 to perform a feasibility study for the construction of a cogeneration plant at a site which is municipally owned, and

WHEREAS, the City's staff has recommended that the City of Modesto apply for a grant and that the firm of Gibbs & Hill be selected as the consultant to perform the feasibility study, and

WHEREAS, the firm of Gibbs & Hall has offered to prepare the grant application at no cost to the City, and

WHEREAS, the feasibility study for the grant application would be for construction of a biomass power plant for conversion of garden refuse into electrical energy, the plant to be located at the existing City-owned Wastewater Treatment Plant, and

WHEREAS, the City of Modesto's potential revenue from conversion of garden refuse biomass into electrical energy is in the realm of more than $1,000,000 per year, and

WHEREAS, the information that will be developed in applying for this grant will provide the City of Modesto with valuable information regarding the potential use of garden refuse as an energy source,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the City Manager to submit a grant application to the California Energy Commission per its Requests for Proposal No. 500-81-502,

BE IT FURTHER RESOLVED that the City Manager is further authorized to accept such a grant from the California Energy Commission if a grant is offered to the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of November, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1021

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A GRANT FUNDING AGREEMENT WITH THE STATE OF CALIFORNIA FOR FUNDING TO OPERATE A CAREER CRIMINAL APPREHENSION PROGRAM BY THE MODESTO POLICE DEPARTMENT.

WHEREAS, the City of Modesto desires to undertake a certain project designated Career Criminal Apprehension Program to be funded in part from funds made available through the 1981/82 State Budget Act administered by the Office of Criminal Justice Planning (hereinafter referred to as OCJP).

NOW, THEREFORE, BE IT RESOLVED that the City Manager of the City of Modesto is authorized, on its behalf to submit an Application for Grant for Law Enforcement Purposes to OCJP and is authorized to execute on behalf of the City of Modesto Police Department the Grant Award for law enforcement purposes, including any extensions or amendments thereof.

BE IT FURTHER RESOLVED that the applicant agrees to provide all matching funds required for said project (including any extension or amendment thereof) under regulations of OCJP and that cash will be appropriated as required thereby.

BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant law enforcement expenditures controlled by this body.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of November, 1981, by Councilmember Siefkin, who moved its adoption, which

motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1022

A RESOLUTION OF THE MODESTO CITY COUNCIL PROTESTING THE EXECUTION OF AN OPEN SPACE CONTRACT APPLICATION NO. 82-3790 (OLEN and LILA MEADOWS)

WHEREAS, an Open Space Contract Application has been referred to the City of Modesto by the County of Stanislaus, and

WHEREAS, the effect of said application on the City of Modesto has been fully considered, and

WHEREAS, the City staff has recommended that the City protest the execution of said Open Space Contract,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby protest the execution of an Open Space Contract on Application No. 82-3790 (OLEN and LILA MEADOWS).

BE IT FURTHER RESOLVED that this protest be filed with the Stanislaus County Board of Supervisors and the Stanislaus County Local Agency Formation Commission and the Local Agency Formation Commission is hereby requested to hold a hearing and consider this protest as provided for in Section 51243.5 of the Government Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of November, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember

Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CA Form
12/28/77

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1023

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR CARPENTER ROAD NO. 3 ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for Carpenter Road No. 3 Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of November, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City MODESTO

2. Name of Proposed Annexation CARPENTER ROAD NO. 3

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

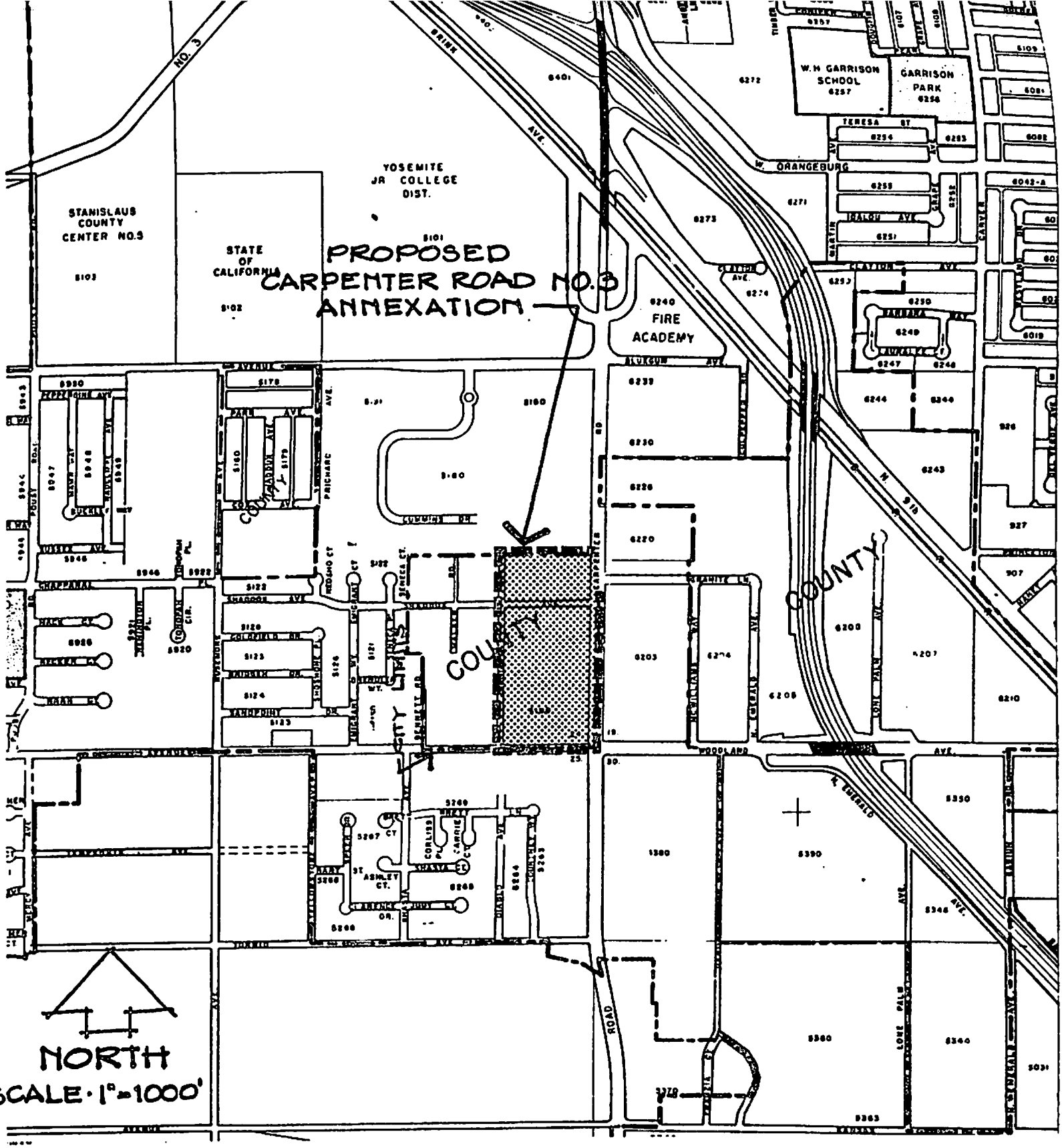
   YES

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

   NO

5. Other comments the city would like to make.

   INDEPENDENT NEGOTIATION OF PROPERTY TAX HAS BEEN REQUESTED BY SEPARATE RESOLUTION.



PROPOSED
CARPENTER ROAD NO. 3
ANNEXATION

TO THE CITY OF MODESTO

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 1024

A RESOLUTION DECLARING THE EXISTENCE OF EXTENUATING CIRCUMSTANCES WHICH MAKE PROPERTY TAX ALLOCATION PROVISIONS OF AGREEMENT DATED FEBRUARY 26, 1980, INAPPLICABLE TO THE CARPENTER ROAD NO. 3 ANNEXATION TO THE CITY OF MODESTO

WHEREAS, pursuant to the provisions of Chapter 282 of the Statutes of 1979 of the State of California, the City of Modesto and the County of Stanislaus have both approved an agreement dated February 26, 1980, providing for the distribution of property tax revenue on jurisdictional changes, and

WHEREAS, under the terms of said agreement, the parties affected by an annexation or government reorganization, shall enact a resolution either incorporating the applicable allocations provisions of said agreement or declaring the existence of extenuating circumstances, and

WHEREAS, property owners have submitted petitions requesting annexation of the area known as the Carpenter Road No. 3 Annexation to the City of Modesto, and

WHEREAS, it has been determined that said Carpenter Road No. 3 Annexation has twelve (12) or more registered voters, and

WHEREAS, it has been determined that the existence of extenuating circumstances should be declared regarding said annexation,

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby declares the existence of extenuating circumstances which make the property tax allocation provisions of the above referred to agreement inapplicable to the Carpenter Road No. 3 Annexation.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to transmit certified copies of this resolution to the Executive Officer of LAFCO, the Board of Supervisors of Stanislaus County and the Woodland Fire Protection District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of November, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1025

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON REPORT OF WORK AND COST OF CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

BE IT HEREBY RESOLVED by the Council of the City of Modesto that December 8, 1981, at 7:30 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of the attached reports by the Superintendent of Streets on the cost of construction of improvements as described in such reports.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of November, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

a. Curb & sidewalk at 1135 E. Orangeburg Avenue, a portion of Block 1185. (Ayres & Parker - $2360.00)

b. Sidewalk at 1105 East Fairmont Avenue, Lot 13 of Block 1071. (Margie D. Brazil - $310.00)

c. Curb and sidewalk at 1411 Sunrise Avenue, a portion of Block 1194. (Rita Candlish - $972.00)

d. Sidewalk along Scenic Drive at 2901 Scenic Drive, a portion of Block 1500. (Patrick W. Clark - $810.00)

e. Sidewalk along Lucern Avenue at 553 Esgar Avenue, Lot 14 of Block 1002. (Floyd E. Ebbers - $630.00)

f. Curb and sidewalk along Lucern Avenue at 545 Hunter Avenue, Lot 1 of Block 1003. (Benjamin F. Fox - $1036.00)

g. Sidewalk along E. Fairmont Avenue at 930 E. Fairmont Avenue, Lot 14 of Block 635. (William E. Holden - $395.00)

h. Curb and sidewalk along Lucern Avenue, at 548 Castle Avenue, Lots 1 and 2 of Block 604. (Hines & Hines - $1250.00)

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i. Sidewalk at 906 E. Fairmont Avenue, Lot 11 of Block 635. (Gary W. Holmes - $370.00)

j. Sidewalk at 1116 Allen Drive, Lot 5 of Block 1115. (Hough & Hough - $280.00)

k. Curb and sidewalk along Lucern Avenue at 545 Castle Avenue, Lots 47 & 48 of Block 604. (Richard T. Humbert - $1260.00)

l. Curb and sidewalk at 104-112 Trask Lane, a portion of Block 2401. (Raymond L. Maderos - $8311.00)

m. Curb and sidewalk along Trask Lane at 2301 Yosemite Blvd., a portion of Block 2265. (Norman Quigley - $3601.00)

n. Sidewalk at 1343-1347 McHenry Avenue, a portion of Block 6000-A. (Homer J. Sergis - $2160.00)

o. Sidewalk at 114 Drake Avenue, a portion of Block 1192. (Leon R. Sharp - $910.00)

p. Sidewalk along Ramona Avenue and curb and sidewalk along Lucern Avenue at 545 Ramona Avenue, Lot 48 of Block 605. (Carol A. Silvas - $1493.00)

q. Sidewalk along E. Coolidge Avenue and Rose Avenue at 1501 Rose Avenue, Lot 2 of Block 1204. (Samuel C. Smith - $1348.00)

r. Curb along Trask Lane at 2337 Dora Street, Lot 20 of Block 2268. (Danette Strzala - $1124.00)

s. Sidewalk along E. Coolidge Avenue and Queens Avenue at 1721 E. Coolidge Avenue, a portion of Block 1204. (Elmer Teel - $1020.00)

t. Sidewalk at 902 E. Fairmont Avenue, Lot 10 of Block 635. (Raymond J. Tunkel - $310.00)

u. Sidewalk at 1125 Allen Drive, Lot 7 of Block 1144. (Dianna Tyler - $610.00)

v. Curb and sidewalk along Lucern Avenue at 552 Esgar Avenue, Lot 12 of Block 1003. (John A. Vieira - $1083.00)

w. Curb and sidewalk along Lucern Avenue at 1010 Lucern Avenue, Lot 1 of Block 605. (Avetar Yadegar - $2118.00)

x. Sidewalk along Drake Avenue at 1432 McHenry Avenue, a portion of Block 1192. (Julius M. Ward - $460.00)

y. Sidewalk at 1321 McHenry Avenue, a portion of Block 6000-A. (Jack R. Watson - $2533.00)

z. Curb and sidewalk at 1208-1220 E. Orangeburg Avenue, a portion of Block 1144. (Paul M. Zagaris Realty, Inc. - $2,365.00)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1026

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $10,200 TO COVER COST OF NEW AIRPORT SERVICE ROAD, MODIFY THE REST ROOMS IN THE TERMINAL FOR HANDICAPPED AND LAND APPRAISAL

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	CONTINGENCY FOR PENDING PROJECT (61.04 8911 63 and 61.04 8911 64)	$10,200
TO:	PUBLIC WORKS AIRPORT PROJECTS (5303.00, 5101.00 and 6472.00)	$10,200

Funding needed to construct temporary access road around the north end of the airport; funding to modify the airport terminal rest rooms; and funding of an airport land appraisal to meet ongoing needs at the Modesto City-County Airport.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** November, 19 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1027

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CALTRANS FOR INSTALLING A GUARD RAIL ON NEECE DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Caltrans

for installing a guard rail on Neece Drive near Del Webb Field

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** November, **19**81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1028

A RESOLUTION ESTIMATING REVENUE TO BE RECEIVED FROM THE FEDERAL HIGHWAY ADMINISTRATION AND TRANSFERRING AN ADDITIONAL AMOUNT FROM THE CONTINGENCY RESERVE FOR LAND ACQUISITION AND CAPITAL IN THE SPECIAL FUND FOR CAPITAL OUTLAY (FUND NO. 13) AND APPROPRIATING THE TOTAL AMOUNT IN THE ACCOUNT NEECE DRIVE GUARD RAIL (ACCOUNT NO. 6590.00) IN THE SPECIAL FUND FOR CAPITAL OUTLAY (FUND NO. 13).

WHEREAS, the Federal Highway Administration and the City of Modesto have agreed to share the costs of installing new and replacement guard rail on Neece Drive north of Rouse Avenue, and

WHEREAS, the projected construction date is prior to the close of the 1981-82 fiscal year and the estimated cost is $29,500.00, and

WHEREAS, the Federal Highway Administration's share of the estimated project cost is $25,431.00, and

WHEREAS, the City of Modesto's share of the estimated project cost is $4,069.00, which amount is available in the Contingency Reserve (Account No. 61.10) of the Special Fund for Capital Outlay (Fund No. 13) and will not be required for other scheduled projects,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, that an amount of $25,431.00 is estimated from the Federal Highway Administration in the revenue account Federal Grant (Account No. 274) in the Special Fund for Capital Outlay Fund (Fund No. 13).

BE IT FURTHER RESOLVED that an amount of $4,069.00 is hereby authorized to be transferred from the Contingency Reserve (Account No. 61.10) in the Special Fund for Capital Outlay (Fund No. 13) to the Account Neece Drive

Guard Rail (Account No. 6590.00) in the Special Fund for Capital Outlay (Fund No. 13).

BE IT FURTHER RESOLVED that the amount of $25,431.00 estimated from the Federal Highway Administration is to be appropriated in the account Neece Drive Guard Rail (Account No. 6590.00) in the Special Fund for Capital Outlay (Fund No. 13).

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of November, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1029

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENTS TO CERTAIN SUBDIVISION AGREEMENTS.

WHEREAS, Section 4-4.604(c) of the Modesto Municipal Code requires that each subdivider execute and file a subdivision agreement between itself and the City of Modesto relating to the improvements to be made in a subdivision prior to the approval by the City Council of the final map for the subdivision, and

WHEREAS, in the case of subdivisions where waterlines are installed by the City of Modesto, the applicable subdivision agreements contain a provision requiring the subdivider to pay water connection charges for the subdivision within alternative specified time periods, and

WHEREAS, there are presently several subdividers who, due to current unfavorable economic conditions not conducive to sale of subdivision lots, wish to amend that portion of their subdivision agreements relating to payment of water connection charges, so as to permit payment of such charges on an installment basis, and

WHEREAS, the City of Modesto, in recognition of the current unfavorable economic conditions, is willing to amend that portion of said subdivision agreements relating to payment of water connection charges, so as to permit payment of such charges on an installment basis, with interest,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby authorize the City Manager to negotiate and execute amendments to those subdivision agreements requiring the subdivider to pay water connection charges, to provide for installment payments of said water connection charges, with interest; said amendments to be executed by all parties prior to December 3, 1981. Said installment payments shall be subject to the following conditions:

1. Installment payments shall be made by the subdivider for a period of up to three years.

2. An interest charge of approximately 12% will be applied to any unpaid balance; at the end of the installment payment period, any unpaid amount will be immediately due and payable.

3. In case of default in the payment of an installment, the unpaid total will become immediately due and payable.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of November, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1030

A RESOLUTION ORDERING PAVING OF THE RESIDENTIAL ALLEY IN BLOCK 843 BOUNDED BY TULLY ROAD, WEST ROSEBURG, CECIL WAY, AND NOTRE DAME AVENUE (NORMANDY PARK)

WHEREAS, Section 5876 of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the City is planning to pave the residential alley in Block 843 bounded by Tully Road, West Roseburg, Cecil Way, and Notre Dame Avenue (Normandy Park); and

WHEREAS, it is recommended by staff that the City Council order paving of the residential alley in Block 843 bounded by Tully Road, West Roseburg, Cecil Way, and Notre Dame Avenue (Normandy Park).

NOW, THEREFORE BE IT RESOLVED that the Council, on its own motion, hereby orders the paving of the residential alley in Block 843 bounded by Tully Road, West Roseburg, Cecil Way, and Notre Dame Avenue, and instructs the Superintendent of Streets to notify owners of property in Block 843 to construct said improvements.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 1981, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: John & Bernice Quaresma

ADDRESS: 1215 Trinity Avenue, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 1 in Block 843 of Quaresma Tract No. 1 as per map filed August 30, 1957 in Volume 18 of Maps, Page 70, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 114-0102-221)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

93.42 linear feet of 2" A.C. resurfacing abutting said property in Block 843 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 24th day of November, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 4th day of November, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Erwin L. & Sarah Jackson

ADDRESS: 1235 Cecil Way, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 2 in Block 843 of Quaresma Tract No. 1 as per map filed August 30, 1957 in Volume 18 of Maps, Page 70, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 114-0103-101)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

80 linear feet of 2" A.C. resurfacing abutting said property in Block 843 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 **p.m. on the** 24th **day of** November, 1981, **in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.**

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 4th **day of** November, 19 81.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Henry, Jr. & Alberta Kamps

ADDRESS: 1231 Cecil Way, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 3 in Block 843 of Quaresma Tract No. 1 as per map filed August 30, 1957 in Volume 18 of Maps, Page 70, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 114-0104-101)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

80 linear feet of 2" A.C. resurfacing abutting said property in Block 843 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 24th day of November, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 4th day of November, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Eugene F. & Nancy E. Berry

ADDRESS: 1227 Cecil Way, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 4 in Block 843 of Quaresma Tract No. 1 as per map filed August 30, 1957 in Volume 18 of maps, Page 70, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 114-0105-111)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

80 linear feet of 2" A.C. resurfacing abutting said property in Block 843 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 24th day of November, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 4th day of November, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Harris & Florence M. Schroeder

ADDRESS: 1221 Cecil Way, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 5 in Block 843 of Quaresma Tract No. 1 as per map filed August 30, 1957 in Volume 18 of maps, Page 70, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 114-0106-101)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

80 linear feet of 2" A.C. resurfacing abutting said property in Block 843 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 24th day of November, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 4th day of November, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Clarence H. & Gertrude A. Skiles

ADDRESS: 1215 Cecil Way, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 6 in Block 843 of Quaresma Tract No. 1 as per map filed August 30, 1957 in Volume 18 of maps, Page 70, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 114-0107-101)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

70.77 linear feet of 2" A.C. resurfacing abutting said property in Block 843 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 24th day of November, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 4th day of November, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Randolph P. & Kathleen M. High

ADDRESS: 1205 Cecil Way, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 7 in Block 843 of Quaresma Tract No. 1 as per map filed August 30, 1957 in Volume 18 of maps, Page 70, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 114-0108-101)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

8 linear feet of 2" A.C. resurfacing abutting said property in Block 843 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 24th day of November, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 4th day of November, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: James R. & Anna L. Costa

ADDRESS: 1105 Notre Dame Avenue, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 8 in Block 843 of Quaresma Tract No. 1 as per map filed August 30, 1957 in Volume 18 of maps, Page 70, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 114-0109-121)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

56.14 linear feet of 2" A.C. resurfacing abutting said property in Block 843 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 24th day of November, 19 81, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 4th day of November, 19 81.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Henry & Dorothy Wagner

ADDRESS: 1109 Notre Dame Avenue, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 9 in Block 843 of Quaresma Tract No. 1 as per map filed August 30, 1957 in Volume 18 of maps, Page 70, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 114-0110-101)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

69 linear feet of 2" A.C. resurfacing abutting said property in Block 843 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 24th day of November, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 4th day of November, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Virginia Laudenslayer

ADDRESS: 1113 Notre Dame Avenue, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 10 in Block 843 of Quaresma Tract No. 1 as per map filed August 30, 1957 in Volume 18 of Maps, Page 70, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 114-0111-101)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

70.08 linear feet of 2" A.C. resurfacing abutting said property in Block 843 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 24th day of November, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 4th day of November, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Donald J. Wimberly and Joe H.S. Mendonca

ADDRESS: 1117 Notre Dame Avenue, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 11 in Block 843 of Quaresma Tract No. 2 as per map filed July 6, 1976 in Volume 26 of Maps, Page 12, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 114-0145-101)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

71.71 linear feet of 2" A.C. resurfacing abutting said property in Block 843 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 24th day of November, 1981, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 4th day of November, 1981.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: John & Bernice Quaresma

ADDRESS: 1215 Trinity Avenue, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 13 in Block 843 of Quaresma Tract No. 2 as per map filed July 6, 1976 in Volume 26 of Maps, Page 12, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 114-1202-040)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

180.59 linear feet of 2" A.C. resurfacing abutting said property in Block 843 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 24th day of November, 19 81, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 4th day of November, 19 81.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1031

A RESOLUTION AMENDING SECTIONS 1 AND 2 OF RESOLUTION NO. 67-352 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT ZONE, P-D(30)", AS AMENDED BY MODESTO CITY COUNCIL RESOLUTION NO. 71-1131, TO PERMIT AN EXPANSION ON LOCKE ROAD, SUNNYSIDE AVENUE AND LUCERN AVENUE. (STANISLAUS MEDICAL BUILDING CORPORATION)

WHEREAS, Ordinance No. 829-C.S., adopted by the City Council on May 8, 1967, rezoned property located at the northeast corner of Coffee Road and Lucern Avenue to Planned Development Zone, P-D(30), to allow expansion of an existing medical clinic, and

WHEREAS, City Council Resolution No. 67-352 approved the development plan for P-D(30) and contained conditions of approval thereof, and

WHEREAS, Ordinance No. 1167-C.S. and Resolution No. 71-1131 adopted by the City Council on December 20, 1971, amended Planned-Development Zone, P-D (30), to permit additional uses, and

WHEREAS, a verified application for an amendment to Planned Development Zone, P-D(30), was filed by Stanislaus Medical Building Corporation on September 15, 1981, to amend P-D (30), to add property located east of Coffee Road, south of Lucern Avenue, south of Locke Road, and east of Sunnyside Avenue, described as follows:

R-1 to P-D(30)

All that real property situate in a portion of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and being a portion of Lot 30 of the Broughton Colony tract, as per Map filed March 17, 1904 in Volume 1 of Maps at Page 78 Stanislaus County Records, more particularly described as follows:

Lot 7 in Block 1032 of Downey Manor, as per map filed August 5, 1955 in Volume 18 of Maps, page 32, Stanislaus County Records.

Including also all of the Southern one-half of 60 foot wide Locke Road and the Northern one-half of the 20 foot wide alley in Block 1032 immediately adjacent to the above described property.

R-2 to P-D(30)

All that real property in Section 22 and 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and being a portion of Lot 30 and a portion of Lot 31 of the BROUGHTON COLONY TRACT, as per Map filed March 17, 1904 in Volume 1 of Maps, at page 78, Stanislaus County Records, and a portion of Lots 3 and 4 of SUNNYSIDE ACRES, as per Map filed March 24, 1911 in Volume 5 of Maps, at page 45, Stanislaus County Records, more particularly described as follows:

Area "A"

BEGINNING at the Section corner common to Sections 21, 22, 27 and 28 in Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence Southerly along the West line of said Section 27, also being the center line of 90 foot wide Public Road known as Coffee Road 165.00 feet to the Southwest corner of Lot 4 of said Sunnyside Acres; thence Easterly along the South line of said Lot 4, a distance of 250 feet; thence Northerly 165 feet to the centerline of original 40 foot wide public road known as Lucern Avenue; thence Easterly along the center line of said Lucern Avenue, also being the South line of Lot 30 of said Broughton Colony, 409.24 feet to the Southeast corner of said Lot 30, and centerline of a County Road (Sunnyside Avenue); thence Northerly along the East line of said Lot 30 also being the centerline of Sunnyside Avenue 30.00 feet; thence Westerly along the Easterly prolongation and north line and Westerly prolongation of Lucern Avenue 659.24 feet to the west line of said Lot 30 and centerline of Coffee Road; thence Southerly 30.00 feet to the point of beginning.

Area "B"

The North 175.427 feet of the South 339.601 feet of the West 264 feet of Lot 31 of said Broughton Colony Tract.

WHEREAS, said application was set for public hearing before the Planning Commission on October 26, 1981, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 81-236, found and determined that the requested amendment of P-D(30) is required by public necessity, convenience, and general welfare for the following reasons:

1. P-D(30) is an existing medical clinic which desires to expand its operation.

2. There is a shortage of parking which will be relieved with the proposed new parking.

3. The P-D zone and conditions of approval insure a degree of compatibility with surrounding properties.

and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 11th Street, Modesto, California on November 24, 1981, at 7:30 p.m., and

WHEREAS, at said hearing the applicant withdrew the portion of its application requesting rezoning of the property on the south side of Locke Road from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D(30), and

WHEREAS, after hearing evidence both oral and documentary, the Council finds and determines that the remainder of the requested amendment to P-D(30) is required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 81-236 and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Sections 1 and 2 of Modesto City Council Resolution No. 67-352 entitled, "A Resolution Approving a Development Plan for Planned-Development Zone, P-D(30)", as amended by Modesto City Council Resolution No. 71-1131, are hereby further amended to read as follows:

"SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(30) is hereby approved, subject to the following conditions:

1. All development shall conform to the plot plan titled "Master Plan for Gould Medical Group" as amended in red, stamped approved by the Planning Commission on October 26, 1981.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code. Screen landscaping shall be installed along the north, east and south property lines on the parking area east of Sunnyside. Minimum 3 feet high, solid screen landscaping shall be installed around the [illegible] space lot at Lucern and Coffee.

3. Fencing shall be constructed prior to occupancy and shall be as follows:

   a. Six foot decorative masonry wall on the north, east, and south boundaries of the parking lot east of Sunnyside.

   b. Six foot board fence with decorative masonry pilasters on the east boundary of the lot at the southeast corner of Lucern and Coffee.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. The developer shall dedicate and/or improve sufficient right-of-way as required by the Director of Public Works to complete Coffee, Sunnyside, Locke, Lucern and to major, collector, and residential street standards.

6. The required public street improvements shall be constructed prior to occupancy of any new structures, or the use of any residential structures for office/storage space.

7. Prior to issuance of a building permit, street improvement plans shall be approved by the Director of Public Works.

8. Drainage shall be provided as required by the Director of Public Works.

9. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

10. All signs shall comply with the sign requirements of the P-O Zone.

11. The air conditioning system on the 4th floor penthouse be noise baffled to the north and south so that any noise will be directed away from residences nearest the project on Lucern Avenue and Locke Road.

12. The temporary trailer approved by the Planning Commission by Resolution No. 80-197 shall be subject to the conditions set forth in said Planning Commission Resolution No. 80-197.

13. All other provisions of previous P-D(30) resolutions not in conflict with this action shall remain in full force and effect.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D(30):

That the entire construction program be accomplished in one phase, construction to begin on or before January 1, 1984 and completion to be not later than January 1, 1988. "

BE IT FURTHER RESOLVED by the Council of the City of Modesto that all of the provisions of Modesto City Council Resolutions No. 67-352 and 71-1131 approved by the Council on May 8, 1967 and December 20, 1971, respectively, that are not amended or affected by the provisions of this resolution shall remain in full force and effect.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and

the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Muratore, Patterson, Mayor Mensinger

NOES: Councilmembers: Bright, Siefkin

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1032

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAPS 22-3-9 AND 27-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (STANISLAUS MEDICAL BUILDING CORPORATION)

WHEREAS, on November 24, 1981, the City Council introduced Ordinance No. _____ giving approval to a project relating to an amendment to Section Maps 22-3-9 and 27-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D(30)

_____, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Maps 22-3-9 and 27-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D(30)

_____.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Muratore, Patterson, Mayor Mensinger

NOES: Councilmembers: Bright, Siefkin

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1033

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR BIDS FOR FURNISHING AUTOMOTIVE AND HEAVY EQUIPMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of automotive and heavy equipment

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on December 29, 1981, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1034

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR ATHLETIC AND RECREATIONAL EQUIPMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of athletic and recreational equipment

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on December 15, 1981 at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1035

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT WITH JOHNSON CONTROLS, INC. FOR UPGRADING THE CITY HALL AIR CONDITIONING SYSTEM.

WHEREAS, the operation of the City Hall Heating, Ventilating and Air Conditioning (HVAC) System has never been entirely satisfactory and occupants have either been too hot or too cold, and

WHEREAS, there is a need to replace pressure relief valve damper linkages and to replace the actuating motors because the existing dampers bind, bend, and are torn loose from their hinges, and

WHEREAS, a properly operating heating and air conditioning system is needed to preserve the health of the occupants of the City Hall building, and

WHEREAS, an improperly operating HVAC system causes inordinate expenditures of both electric and natural gas energy, and inordinate expenditures on salaries of maintenance persons required to manually adjust the system several times during the day, and

WHEREAS, there is an urgent necessity to accomplish the work to preserve the financial resources of the City expended for heating and cooling, and

WHEREAS, Johnson Controls, Inc., is under contract to the City to perform maintenance on the existing system, including calibration and a semi-annual check on the controls, and

WHEREAS, the City Engineer's estimate for the required work is $7,672, and

WHEREAS, a proposal has been received from Johnson Controls, Inc. for $7,726 to complete the required work, and

WHEREAS, the introduction of a second company into the modification of this highly technical system could lead to disputes between contractors regarding

responsibility for the work performed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto that it does hereby waive formal bidding because of the urgent necessity for accomplishment of the required work for the reasons set forth above; and awards to Johnson Controls, Inc., a contract to modify the existing pressure relief valves, damper linkage, and replace motors in the City Hall HVAC System for $7,726, as described in the Johnson Controls, Inc. proposal.

BE IT FURTHER RESOLVED that the execution of the contract by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1036

A RESOLUTION ACCEPTING THE BID OF GENERAL ELECTRIC ON ITEMS I, II, III, AND IV AND AUTHORIZING PURCHASE OF EIGHT MOBILE RADIOS, THREE PORTABLE RADIOS, AND ONE PAGER

WHEREAS, Resolution No. 81-892, adopted by the Council of the City of Modesto on October 6, 1981, approved the plans and specifications for the local government and Police radio equipment and authorized the calling for bids; and

WHEREAS, the bids received for the local government and Police radio equipment were opened at 2:00 p.m. on November 3, 1981, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of General Electric for the total price of $12,449 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of General Electric for the total price of $12,449 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1037

A RESOLUTION ACCEPTING THE BID OF MODESTO FORD TRACTOR FOR FURNISHING ONE MAINTENANCE TRACTOR

WHEREAS, Resolution No. 81-888 adopted by the Council of the City of Modesto on October 6, 1981 , approved the plans and specifications for the purchase of one maintenance tractor and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of one tractor were opened at 2:15 p.m. on November 3, 1981 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Modesto Ford Tractor in the amount of $10,414 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Modesto Ford Tractor in the amount of $10,414 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November , 1981 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1038

A RESOLUTION REJECTING ALL BIDS FOR FURNISHING ONE FORKLIFT, AND OPENED IN THE OFFICE OF THE CITY CLERK ON NOVEMBER 3, 1981, AT 2:15 P.M., AND AUTHORIZING NEW CALL FOR BIDS

WHEREAS, Resolution No. 81-888, adopted by the Council of the City of Modesto on October 6, 1981, approved the plans and specifications for the purchase of one forklift and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of one forklift were opened at 2:15 p.m. on November 3, 1981, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, both companies that bid, offered new, or next-to-new forklifts that cost approximately 30% higher than estimated, whereas the City specifications had called for a "rebuilt and guaranteed" forklift.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all bids received for furnishing one forklift, and opened in the office of the City Clerk on November 3, 1981, are hereby rejected.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that new call for bids for furnishing one forklift to be opened December 15, 1981, at 2:15 p.m., is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1039

A RESOLUTION REJECTING ALL BIDS FOR FURNISHING ONE GARDEN REFUSE PACKER TRUCK, AND OPENED IN THE OFFICE OF THE CITY CLERK ON AUGUST 18, 1981, AT 2:15 P.M.

WHEREAS, Resolution No. 81-639, adopted by the Council of the City of Modesto on July 28, 1981, approved the plans and specifications for the purchase of one garden refuse packer truck; and

WHEREAS, the bids received for the furnishing of one garden refuse packer truck were opened at 2:15 p.m. on August 18, 1981, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the lowest bidder meeting City specifications could not be determined by staff and further testing of packing equipment and clearer definition in the specifications is in order prior to receiving new bids.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all bids received for furnishing one garden refuse packer truck, and opened in the Office of the City Clerk on August 18, 1981, at 2:15 p.m., are hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote;

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1040

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WESTERN PIPELINE, INC.'S CONTRACT FOR THE CONSTRUCTION OF THE WEST TRUNK SEWER PROJECT - 1980 AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of the West Trunk Sewer Project - 1980 has been completed by Western Pipeline, Inc.

in accordance with the contract agreement dated June 17, 1980.

NOW, THEREFORE, BE IT RESOLVED that the construction of the West Trunk Sewer Project - 1980 be accepted from said contractor, Western Pipeline, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $2,929,525.07 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1041

A RESOLUTION ACCEPTING THE CONSTRUCTION OF VALLEY ASBESTOS COMPANY'S CONTRACT TO REPLACE APPARATUS DOORS AT FIRE STATION NO. 1 AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the replacement of apparatus doors at Fire Station No. 1 has been completed by Valley Asbestos Company in accordance with the contract agreement dated July 7, 1981.

NOW, THEREFORE, BE IT RESOLVED that the replacement of apparatus doors at Fire Station No. 1 be accepted from said contractor, Valley Asbestos Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $10,615 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1042

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND KIAS A. WILLIAMS AND GWENDOLEE WILLIAMS FOR THE LEASE OF FIVE LOTS PURCHASED BY THE CITY OF CERES, THE CITY OF MODESTO, AND STANISLAUS COUNTY FOR TUOLUMNE RIVER REGIONAL PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Kias A. Williams and Gwendolee Williams for the lease of five lots purchased by the City of Ceres, the City of Modesto, and Stanislaus County for Tuolumne River Regional Park

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** November, **19**81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1043

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WILLIAM BLICKENSTAFF AND LEONARD E. BLICKENSTAFF FOR THE LEASE OF THE WOODLAND NEIGHBORHOOD PARK SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and William Blickenstaff and Leonard E. Blickenstaff for the lease of the Woodland Neighborhood Park site

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** November**, 19**81**, by Councilmember** Lang**, who moved its adoption, which motion being duly seconded by Councilmember** Siefkin**, was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1044

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan for the City of Modesto was adopted by Modesto City Council Resolution No. 67-77 pursuant to Rule 2 of the Personnel Rules and Regulations of the City of Modesto, and

WHEREAS, the City Manager has recommended to the Council an amendment to the Position Classification Plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that revisions to the classification plan shall be effective upon adoption of resolution of the City Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. CLASSIFICATION CREATED. The Position Classification Plan of the City of Modesto is further amended to create a new classification as follows:

Administrative Assistant

The specification for the classification created, as shown on the attached Exhibit "A", which is hereby made a part of this resolution by reference, is hereby approved and made a part of the Position Classification Plan of the City of Modesto.

SECTION 2. CLASSIFICATIONS AMENDED. The Position Classification Plan of the City of Modesto is hereby amended to amend the specifications for the

following classifications, as shown on Exhibits "B", "C", and "D" which are attached hereto and hereby approved and made a part of the Position Classification Plan for the City of Modesto:

Budget Accountant

Microfilm and Graphics Technician II

Risk Management Technician

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

ADMINISTRATIVE ASSISTANT

DEFINITION

Under supervision, to provide administrative staff support for a department and/or division head; to complete assignments in research and technical report writing; to do technical personnel work; and to do other related work as required.

EXAMPLES OF DUTIES

Conducts regular and special studies including the collection of data, organizing facts and assumptions, evaluation of findings, and preparing recommendations; represents management at various meetings as assigned; reviews and responds to citizen's request for services; assists in public relations activities; makes oral and technical written reports as directed; may be assigned to the Personnel Office to perform studies and prepare reports, including job analysis, compensation, fringe benefits, test development, and affirmative action; may be assigned responsibility for a special project, including energy conservation, housing, safety or training.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles. Incumbents will be required to file a statement of economic interests.

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

English composition, spelling, grammar, and punctuation at college-level usage;
Technical report writing styles;
Effective research methods and practices;
Statistical methods and methods of graphic presentation;
Principles and practices of organization, administration and management;
Computer capabilities and limitations is highly desirable.

and

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Ability to:

Write reports with proper spelling and grammar, well-organized thoughts and clear expression;
Think logically, apply deductive and inductive reasoning;
Organize facts and assumptions;
Apply statistics or econometrics to problem solving;
Analyze situations and prepare recommendations;
Speak effectively before small or large audiences;
Schedule time and work under pressure;
Work and control sensitive, confidential information on assignment;
Work in harmony with other members of City staff;
Work effectively with the public.

and

Education:

Equivalent to graduation from an accredited college or university.

BUDGET ACCOUNTANT

DEFINITION

Under direction, to assist the Director of Finance in formulating the City's annual and multi-year budgets; to evaluate budget progress during the execution phase, to analyze cost, revenue, and relevant economic data; to assist with the development of budget systems and procedures; and to do related work as required.

EXAMPLES OF DUTIES

Review and update the City's budget manual and supplemental procedures; schedule budget preparation tasks to meet established deadlines; originate communications and distribute budget preparation materials to departments; ensure the timely submission of all source information and review such input for completeness and accuracy; ccordinate budget-related matters with departments and provide guidance where necessary, calculate cost and revenue forecasts and maintain statistical and economic data influencing such estimates; prepare worksheets and all schedules and exhibits comprising the formal Budget Document; supervise clerical personnel involved with budget preparation and publication; evaluate the budget during the execution phase to identify variances requiring corrective action; assist in the preparation of periodic staff reports concerning budget status and other special analyses as required; verify availability of funds to finance intended departmental and Council actions; research and evaluate potential revenue sources; assist in the development and testing of new budget techniques and concepts.

SPECIAL REQUIREMENTS

Incumbents will be required to file a Statement of Economic Interests.

Possession of an appropriate license issued by the California Department of Motor Vehicles within one month after appointment.

All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Skills:

Must possess skills to demonstrate effective management in the areas of accounting and budget preparation for municipalities.

Knowledge of:

The budgeting process as applied to municipal government;
Principles, practices and methods for municipal accounting, cost accounting, and auditing;
Laws, ordinance and regulations governing the financial operations of the City and its departments;
Modern office management procedures and practices.

Ability to:

Assist the Director of Finance in the preparation of operating and capital improvement budgets;
Provide budgetary assistance to management;

Analyze and review fiscal data to develop forecasts, trends and analysis;
Conduct feasibility studies;
Estimate and project revenues and expenditures;
Prepare clear and concise statistical, program and narrative reports;
Communicate effectively both orally and in writing;
Establish and maintain cooperative relationships with those contacted during the course of work.

Experience:

One (1) year of professional level experience in municipal or governmental budget preparation or analysis.

and

Education:

Graduation from an accredited college or university with a major in business administration, accounting, finance, or public administration including a minimum of fifteen (15) units in budget and/or accounting.

MICROFILM AND GRAPHICS TECHNICIAN II

DEFINITION

To supervise the orderly storage, care, microfilming, and safeguarding of records in the City Records Center; under general supervision, to operate and perform routine maintenance on microfilm equipment; to review and edit processed records; to assist in preparing records for microfilming; to destroy copied records; and to do related work as required.

EXAMPLES OF DUTIES

Assigns, reviews, and evaluates the work of subordinate personnel; assists with cataloging, indexing and microfilming of records; prepares records for microfilming; operates microfilm equipment, noting that records are in proper sequence; processes film, including the mixing of chemicals and maintaining of proper temperature; reviews processed film for defects, refilming necessary records and splicing them into proper sequence; destroys recorded records after they have been properly microfilmed and edited; jackets completed records and cuts film in the correct areas; maintains a proper filing system for completed records; tabs and identifies completed records; works with departmental personnel on microfilming processes and problems; operates other duplicating equipment and collates materials; performs a variety of clerical work.

EMPLOYMENT STANDARDS

Knowledge of:

- Microfilming processes and equipment, including proper developing methods;
- Procedures for editing and splicing completed records;
- Filing methods and procedures;
- Modern office practices and procedures;
- Principles of supervision and training.

and

Ability to:

- Plan, organize, supervise, and schedule the work of the microfilming unit;
- Skillfully operate microfilming and developing equipment;
- Perform routine maintenance on microfilming and related equipment;
- Edit records;
- Maintain accurate filing systems for access to records;
- Operate a variety of office duplicating equipment;
- Work with other City personnel on microfilming processes and problems;
- Establish and maintain cooperative relationships with those contacted during the course of work.

and

Experience:

One year's full-time experience operating microfilming equipment.

RISK MANAGEMENT TECHNICIAN

DEFINITION

Under general supervision, to perform technical work in the areas of risk management insured and self-insured employee benefits administration, including but not confined to, Workers' Compensation administration, Public Liability claims, Safety and Loss Prevention, employee dental insurance, health insurance, life insurance, and other related work as required.

EXAMPLES OF DUTIES

Performs technical assignments in the City's insurance programs; conducts special surveys and projects; gathers and analyzes information for risk management examples of duties; prepares various studies; answers questions and maintains liaison with the public in Workers' Compensation and/or liability claims; prepares necessary forms and routine reports; acts as liaison with the City's Workers' Compensation and/or medical, dental, and life insurance administrators; gives information to City employees regarding rules, regulations and procedures, including Workers' Compensation, Public Liability, Safety and Loss Prevention, dental insurance, health insurance, and life insurance.

SPECIAL REQUIREMENTS

License: Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

Probation: All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

- Principles of insurance and claims handling in a public setting;
- Principles of safety and loss prevention;
- City of Modesto personnel rules and administrative orders;
- Arithmetic, basic accounting;
- English usage, spelling, grammar, and punctuation.
- Basic statistical methods;
- Modern office practices and procedures, especially as they relate to record maintenance and document processing;

and

Ability to:

- Meet and communicate with the public;
- Interpret rules, laws and policies and apply them with good judgment;
- Perform technical work in the area of risk management, involving Workers' Compensation, liability insurance, safety and loss prevention, dental insurance, health insurance, and life insurance;
- Compile and analyze information regarding existing procedures;

Express ideas clearly and concisely in oral and written communications;
Initiate correspondence and telephone communications concerning routine decisions;
Schedule time and work under pressure;
Adapt with flexibility to change;
Perform job duties in a manner assuring a safety working environment for oneself and others;
Work with and control sensitive confidential information on assignment;
Establish and maintain effective working relationships with the general public, co-workers, supervisors, and members of diverse cultural and linquistic backgrounds, regardless of race, creed, color, religion, sex, age or handicap.

and

Experience:

Two (2) years of full-time experience in risk management, employee benefits administration, Workers' Compensation, or in an insurance claims/loss control office.

Two or more years completed at an accredited college or university sixty (60) semester or ninety (90) quarter units may be substituted for one year of the required experience provided that there were courses in industrial or safety engineering, insurance, loss control administration, industrial psychology or employee group insurance benefits administration.

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MODESTO CITY COUNCIL
RESOLUTION NO. 81-1045

A RESOLUTION AMENDING EXHIBIT "F" OF RESOLUTION NO. 81-553 ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE."

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. AMENDMENT TO RESOLUTION NO. 81-553. Exhibit "F" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1981-82" attached to Resolution No. 81-553, is hereby amended as shown on the amended Exhibit "F" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1981-82" which is attached hereto and made a part hereof as though set forth in full herein. Said amended Exhibit "F" deletes the classification of Microfilm and Graphics Technician I from Range 113.5 and adds the classification of Microfilm and Graphics Technician I to Range 112.5, and adds the classification of Administrative Assistant to Range 422.0.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 1981, by Councilmember Lang, who moved its adoption, which motiong being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CITY OF MODESTO
ALPHABETICAL LISTING OF CLASSIFICATIONS IN CITY SERVICE
1981-82
(Effective 6-30-81, Amended 7-21-81, 9-15-81, 11-24-81)

Range No.	Title of Classification
111.5	Account Clerk I
114.5	Account Clerk II
116.5	Account Clerk III
119.5	Account Clerk IV
426.0	Accountant
433.0	Accounting Administrator
426.0	Administrative Analyst
422.0	Administrative Assistant
426.5	Administrative Assistant (Parking & Traffic)
429.0	Airport Manager
424.5	Airport Maintenance Supervisor
116.5	Animal Control Officer I
118.5	Animal Control Officer II
426.5	Arborist
122.0	Assistant Building Inspector
426.0	Assistant Chief Electrician
633.0	Assistant Chief of Police
432.0	Assistant City Attorney I
434.0	Assistant City Attorney II
420.5	Assistant City Clerk
429.0	Assistant Civil Engineer
433.0	Assistant Director of Parks & Recreation
436.0	Assistant Director of Public Works
122.5	Assistant Electrician
426.0	Assistant Planner
428.0	Assistant Property Agent
427.0	Assistant Risk Manager
426.0	Assistant Shop Supervisor
122.0	Assistant Zoning Inspector
432.0	Associate Civil Engineer
429.0	Associate Planner

Range No.	Title of Classification
426.0	Budget Accountant
125.0	Building Inspector
426.5	Building Maintenance Supervisor
120.5	Building Maintenance Worker
122.5	Building Maintenance Leadworker
433.0	Chief Building Official
429.0	Chief Electrician
N/A	Chief of Police
426.5	Chief of Survey Party
N/A	City Attorney
N/A	City Clerk and Auditor
N/A	City Manager
117.5	Civil Engineering Technician I
120.5	Civil Engineering Technician II
123.5	Civil Engineering Technician III
126.5	Civil Engineering Technician IV
124.0	Coach Mechanic
120.5	Community Service Officer
119.5	Computer Operator
125.0	Construction Inspector
427.0	Cost Analyst
123.0	Crime Analyst
430.0	Data Processing Manager
427.0	Deputy City Attorney I
429.0	Deputy City Attorney II
312.0	Detective
N/A	Director of Finance
N/A	Director of Management Services
N/A	Director of Parking and Traffic
N/A	Director of Parks and Recreation
N/A	Director of Planning and Community Development
N/A	Director of Public Works and City Engineer

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Exhibit "F"

Range No.	Title of Classification
120.5	Electrical Technician
118.5	Electrical Trainee
124.5	Electrician
126.0	Engineering Computer Programmer
122.0	Equipment Mechanic
120.5	Equipment Operator
119.0	Equipment Service Worker
118.5	Evidence and Property Specialist
120.5	Financial Specialist
529.0	Fire Battalion Chief
N/A	Fire Chief
211.0	Fire Engineer
210.0	Fire Fighter
213.0	Fire Lieutenant
120.5	Fire Prevention Technician
122.5	Heavy Equipment Operator
120.5	Housing Conservationist
432.0	Housing Program Officer
125.0	Industrial Waste Inspector
116.5	Janitor
123.0	Junior Accountant
126.0	Junior Civil Engineer
123.0	Junior Planner
114.5	Keypunch Operator
122.5	Laboratory Technician
113.5	Laborer (Unclassified)
426.0	Landscape Designer
125.0	Lead Coach Mechanic
123.0	Lead Equipment Mechanic
416.5	Legal Secretary I
418.5	Legal Secretary II

Range No.	Title of Classification
113.5	Maintenance Worker Trainee
116.5	Maintenance Worker
429.0	Management Assistant
122.5	Mechanic/Treatment Plant
424.5	Mechanical Maintenance Supervisor/ Treatment Plant
112.5	Microfilm and Graphics Technician I
115.5	Microfilm and Graphics Technician II
120.5	Motor Sweeper Operator
424.0	Museum Supervisor
122.5	Nursery Propagator
106.5	Office Aide I
109.5	Office Aide II
113.5	Office Services Clerk
122.5	Office Services Supervisor
122.5	Parking and Traffic Leadworker
120.5	Parking and Traffic Maintenance Worker
122.5	Parks Maintenance Leadworker
424.5	Parks Maintenance Supervisor I
426.5	Parks Maintenance Supervisor II
118.5	Parks Maintenance Worker I
120.5	Parks Maintenance Worker II
429.0	Parks Superintendent
432.0	Personnel Manager
420.5	Personnel Technician
126.0	Plan Review Engineer I
426.0	Plan Review Engineer I (MGT)
117.5	Planning Technician I
120.5	Planning Technician II
123.5	Planning Technician III
632.0	Police Captain
113.5	Police Clerk
630.0	Police Lieutenant
308.0	Police Officer (Trainee Step)
310.0	Police Officer
425.0	Police Records Supervisor

Range No.	Title of Classification
628.0	Police Sergeant
115.5	Printing Services Operator I
118.5	Printing Services Operator II
123.0	Programmer
426.0	Programmer Analyst
430.0	Property Agent
427.0	Public Services Officer
122.0	Public Services Inspector
106.5	Public Services Trainee
122.5	Public Works Leadworker
118.5	Public Works Maintenance Worker I
120.5	Public Works Maintenance Worker II
424.5	Public Works Supervisor I
426.5	Public Works Supervisor II
120.5	Pump Maintenance Worker
122.0	Purchasing Assistant I
124.0	Purchasing Assistant II
430.0	Purchasing Officer
117.5	Recreation Program Supervisor
429.0	Recreation Superintendent
426.0	Recreation Supervisor
125.0	Rehabilitation Specialist
430.0	Risk Manager
417.5	Risk Management Technician
116.5	Secretary I
416.5	Secretary I (Conf.)
418.5	Secretary II
420.5	Secretary to the City Attorney
421.5	Secretary to the City Manager
428.0	Senior Accountant
126.5	Senior Building Inspector
416.5	Senior Personnel Clerk
423.5	Senior Personnel Technician
432.0	Senior Planner
428.0	Senior Rehabilitation Specialist
429.0	Shop Supervisor
123.5	Social Services Coordinator
423.5	Social Services Coordinator (MGT)
114.5	Stenographer Clerk
118.5	Storeskeeper I
120.5	Storeskeeper II
120.5	Street Trees Maintenance Worker II
428.0	Supervising Building Inspector
428.0	Supervising Construction Inspector
113.5	Telephone Operator-Receptionist
429.0	Transit Manager
120.5	Tree Trimmer I
122.5	Tree Trimmer II
109.5	Typist Clerk I
409.5	Typist Clerk I (Conf.)
111.5	Typist Clerk II
411.5	Typist Clerk II (Conf.)
113.5	Typist Clerk III
424.5	Warehouse Supervisor
118.5	Wastewater Treatment Plant Attendant
120.5	Wastewater Treatment Plant Operator I
122.5	Wastewater Treatment Plant Operator II
426.5	Wastewater Treatment Plant Supervisor
432.0	Water Quality Control Superintendent
125.0	Water System Inspector
418.5	Word Processing Supervisor
114.5	Word Processing Technician I
116.5	Word Processing Technician II
113.5	Word Processing Trainee
425.0	Zoning Inspector

Totals: 11 City Manager, Department Heads
177 Other

188

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MODESTO CITY COUNCIL
RESOLUTION NO. 81-1046

A RESOLUTION GRANTING THE APPEAL OF NEIGHBORHOOD CHURCH TO A DECISION OF THE BOARD OF ZONING ADJUSTMENT DENYING AN APPLICATION FOR AN AMENDMENT TO A CONDITIONAL USE PERMIT TO ALLOW A PLAYGROUND EXPANSION TO THE NORTHERLY PORTION OF THE CHILD DAY CARE CENTER SITE ON THE NORTH SIDE OF WOODROW AVENUE EAST OF COLONIAL DRIVE AND SOUTH OF CHARLESTON AVENUE.

WHEREAS, an application for an amendment to a conditional use permit for Neighborhood Church for expansion of a day care center on Woodrow Avenue east of Colonial Drive, and south of Charleston Avenue, was filed by Neighborhood Church on August 25, 1981, and

WHEREAS, Sections 10-2.1904(a) and 10-2.2004 of the Municipal Code authorize the Board of Zoning Adjustment to grant conditional use permits, and

WHEREAS, by Resolution Nos. 741 and 805 the Board of Zoning Adjustment granted a conditional use permit to Neighborhood Church for a day care center on Woodrow east of Colonial Drive and south of Charleston Avenue but denied the Church's request for use of the northerly portion of the parcel, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on September 24, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, at said public hearing, the Board of Zoning Adjustment, by its Resolution No. 1018, found and determined that the application should be

denied because the applicant failed to demonstrate the compatibility of the proposed use to other existing or potential uses within the general area in which such use is proposed to be located, and

WHEREAS, an appeal was filed by Neighborhood Church with the Modesto City Council by letter dated October 2, 1981, to the decision of the Board of Zoning Adjustment denying the application for an amendment to a conditional use permit for Neighborhood Church for a playground expansion to the northerly portion of the child day care center site on the north side of Woodrow Avenue east of Colonial Drive and south of Charleston Avenue, and

WHEREAS, said appeal was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, at 7:30 p.m. on October 27, 1981, and continued to November 10, 1981, at 7:30 p.m., and

WHEREAS, at said hearing the Council found and determined that the appeal filed by Neighborhood Church to the decision of the Board of Zoning Adjustment denying an application for an amendment to a conditional use permit to allow a playground expansion to the northerly portion of the child day care center site on the north side of Woodrow Avenue east of Colonial Drive and south of Charleston Avenue should be granted for the following reasons, and that the decision of the Board of Zoning Adjustment should be overruled:

1. Denial of the proposed expansion of the child day care center to the northerly portion of the site owned by the applicant because of the existence of a narrow undevelopable parcel between the child day care site and Charleston Avenue would deny the applicant reasonable use of its propoerty.

2. Expansion of the child day care center site will provide an adequate size playground for the existing child day care center.

3. Installation of fencing and landscaping will ensure compatibility of the child day care center with existing uses within the general area.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal of Neighborhood Church to the decision of the Board of Zoning Adjustment denying an application for an amendment to a conditional use permit to allow a playground expansion to the northerly portion of the child day care center site on the north side of Woodrow Avenue east of Colonial Drive and south of Charleston Avenue is hereby.granted, for the reasons set forth above, subject to the following conditions:

1. That all development shall be in accordance with the plan titled, "Neighborhood Christian Pre-School, 921 Woodrow Avenue, Modesto, California" as amended in red on its face, stamped approved by the City Council on December 1, 1981, and on file in the Office of the Director of Planning and Community Development.

2. That prior to occupancy of the northerly portion of the site or issuance of a building permit, whichever occurs first, a landscaping and irrigation plan shall be submitted and approved by both the Director of Planning and Community Development and the Director of Parks and Recreation. Landscaping and irrigation system shall be installed and maintained in accordance with the approved landscape and irrigation plan. Irrigation shall be by underground sprinkler system.

3. That all landscaping, fences and walls shall be maintained and the premises shall be kept free of weeds, trash and other debris.

4. That the development shall be connected to the City of Modesto water and sewer facilities in accordance with the requirements of the Director of Public Works.

5. That all parking and driveway areas shall be improved in accordance with City standards, including the provisions of Sections 10-2.1801, 10-2.1804 and 10-2.1808 of the Modesto Municipal Code. All drainage facilities shall be provided in accordance to the requirements of the Director of Public Works.

6. That all trash shall be maintained within enclosed trash areas in a location subject to the approval by the Director of Planning and Community Development. Said trash enclosures shall be constructed six feet high of the same building materials used in the main building, as determined by the Director of Planning and Community Development, or of solid decorative masonry, except that they shall have solid doors to be kept closed at all times.

7. That the developer shall construct six foot high grapestake or redwood board fence with masonry pilasters 16 feet on center along the north property line as indicated on the approved plan. Said fence shall be constructed prior to occupancy of the northerly portion of the premises.

8. That the hours of operation of the child day care center shall be between the hours of 7 a.m. and 6 p.m. daily, except Sunday.

9. That the child day care center shall primarily serve children through the age of six years and shall serve a maximum of 100 children on the premises at any given time.

10. That the applicant shall record with the County Recorder of Stanislaus County a notice in the form approved by the City of Modesto that this conditional use permit has been issued and that it contains conditions affecting the use of the above described property. (Copies of the approved form are available at the Modesto Planning and Community Development Department).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of December, 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore, Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1047

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (320).

WHEREAS, a verified application for an amendment to Section 9-3-9 of the Zoning Map was filed by McHenry Bowl c/o Design Concepts on September 15, 1981, to reclassify from Low Density Residential Zone, R-1, and Highway Frontage Zone, H-1, to Planned-Development Zone, P-D, the following described property:

R-1 to P-D

All that portion of the South half of the Northwest quarter of Section 9, Township 3 South, Range 9 East, M. D. B. & M. described as follows:

Beginning at a point on the west line of the south half of the Northwest quarter of said Section 9 that bears North 0° 53' West 1033.00 feet from the West quarter corner of said Section 9, said point being the centerline of McHenry Avenue; thence South 89° 10' 30" East 447.81'; thence North 0° 53' West, parallel to the center line of said McHenry Avenue, 292.86 feet to a point on the North line of the South half of said Northwest quarter; thence North 89° 18' West along said North line 447.81 feet to the centerline of said McHenry Avenue; thence South 0° 53' East along the centerline of said McHenry Avenue, 291.82 feet to the point of beginning.

H-1 to P-D

All that certain real property situate in the northwest quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the West quarter corner of said Section 9; Thence North 0° 53' West on the West line of Section 9 and the centerline of present 110 foot wide McHenry Avenue, 754.00 feet to the centerline intersection of present 60 foot wide Warren Way with said McHenry Avenue; thence North 89° 08' 49" East on the centerline of Warren Way, 235.01 feet; thence North 0° 54' 08" West 30.00 feet to the north line of said Warren Way; and the point of beginning of this description; thence North 0° 54' 08" West 242.13 feet to the South line of the property conveyed to Jerry Marsh and Ada Maxine Marsh as recorded in Volume 2323 of Official Records, at Page 440, Stanislaus County Records; thence South 89° 10' 30" East on said Marsh South line, 212.77 feet to the West line of McHenry Estates No. 1 as shown on the map filed in Book 23 of Maps at Page 63, Stanislaus County Records; thence South 0° 53' East on said West line 240.33 feet to the north line of said Warren Way; thence North 89° 15' West on the North line of said Warren Way 143.88 feet to the beginning of a curve concave to the south, having a radius of 1030 feet and a central angle of 1° 36'; thence westerly on the arc of said curve and north line of Warren Way, 28.76 feet; thence continuing on said north line South 89° 09' West 40.03 feet to the point of beginning.

WHEREAS, after public hearing held on October 26, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D zone allows a natural expansion of a long established facility into an area already specified for commercial development.
2. The proposed P-D zone upgrades the developed portion of the facility by adding landscaping and improved access delineation.

WHEREAS, after a public hearing held on December 1, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of McHenry Bowl c/o Design Concepts for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2098-C.S. on the 1st day of December, 1981, reclassifying the above-described property from Low Density Residential Zone, R-1, and Highway Frontage Zone, H-1 to Planned-Development Zone, P-D(320).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(320) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan titled "McHenry Bowl, Modesto, California, as amended in red, stamped approved by the Planning Commission on October 26, 1981.

2. Prior to issuance of a building permit, the applicant shall submit a set of revised plot plans showing all changes required by the Planning Commission. All development shall conform to this revised plan as amended in red, stamped approved by the Planning Commission on October 26, 1981.

3. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code. Screen landscaping shall be installed along the East property line.

4. Fencing shall be constructed prior to occupancy and shall be as follows:

   6 foot decorative masonry wall 5 feet north of the south property line.

5. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

6. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

7. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

8. No signs shall be permitted on the southerly face of the building and no directional signs shall be permitted on Warren Way which face south or east.

9. All signs shall comply with the sign requirements of the H-1 Zone.

10. Prior to issuance of a building permit, the developer shall pay the City of Modesto the cost of planting street trees, the number as determined by the Director of Public Works.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (320):

Construction to begin on or before September 1, 1983, and completion to be not later than September 1, 1984.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (320) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of December, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore, Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Brooks
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1048

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 9-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (MC HENRY BOWL)

WHEREAS, on December 1, 19 81, the City Council introduced Ordinance No. 2098-C.S. giving approval to a project relating to an amendment to Section Map 9-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, and Highway Frontage Zone, H-1, to Planned Development Zone, P-D(320), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 9-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, and Highway Frontage Zone, H-1, to Planned Development Zone, P-D(320).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of December, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore, Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1049

A RESOLUTION ADDING SECTION 1A TO RESOLUTION NO. 75-314 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE P-D(125) AND PREZONED PLANNED-DEVELOPMENT ZONE, P-PD(125). (SANTA ANITA DEVELOPMENT CORPORATION)" TO ALLOW A FAMILY AMUSEMENT MACHINE CENTER IN THE COMMERCIAL OFFICE BUILDING PORTION OF P-D(125), PROPERTY LOCATED ON THE SOUTH SIDE OF STANDIFORD AVENUE WEST OF MC HENRY AVENUE.

WHEREAS, by Ordinance No. 1431-C.S., effective April 2, 1975, and by Resolution No. 75-314, adopted on February 24, 1975, the City Council rezoned to P-D(125) to permit development of a 135,000 square foot community shopping center, a 72-unit apartment complex, and 33 medium density residential units, property located on the west side of McHenry Avenue north of Woodrow Avenue and south of Standiford Avenue, and

WHEREAS, Ordinance No. 1716, effective April 6, 1978, and Resolution No. 78-252 adopted March 6, 1978, amended Ordinance No. 1431-C.S. and Resolution No. 75-314 respectively, to revise the plot plan and to permit an increase in the buildable space for commercial use of P-D(125), and

WHEREAS, Resolution No. 79-3, adopted January 2, 1979, approved the relocation of a vehicular accessway located in P-D(125), and

WHEREAS, a verified application for an amendment to P-D(125) was filed by Michael Bergher on September 30, 1981, to allow a Family Amusement Machine Center in the commercial office building portion of P-D(125), property located on the south side of Standiford Avenue, west of McHenry, and

WHEREAS, a public hearing was held by the Planning Commission on November 2, 1981, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 81-243 found and determined that an amendment to P-D(125), property located on the south side of Standiford Avenue west of McHenry Avenue, to allow a Family Amusement Center in the commercial office building portion of P-D(125) is required by public necessity, convenience, and general welfare for the following reasons:

1. P-D(125) allows a wide variety of general commercial and office uses including other recreational uses.

2. Compatibility is assured by virtue of location of the proposed establishment relative to residential areas and also by the difference from adjoining businesses in primary hours of operation.

3. There will be adequate parking for the proposed establishment.

and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, on December 1, 1981, at 4:00 p.m., and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to P-D(125) to allow a Family Amusement Machine Center in the commercial office building portion of P-D(125), property located on the south side of Standiford Avenue, west of McHenry Avenue, is required by public necessity, convenience, and general welfare for the reasons set forth in Planning Commission Resolution No. 81-243 and quoted above, and

WHEREAS, at said meeting, the Council reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Section 1A is hereby added to Modesto City Council Resolution No. 75-314 to read as follows:

"SECTION 1A. DEVELOPMENT PLAN. The development plan for the commercial office portion of Planned Development Zone, P-D(125) to allow a Family Amusement Machine Center is hereby approved, subject to the following conditions:

1. All development shall conform to the plot plan entitled "Century Plaza" as amended in red, stamped approved by the Planning Commission on November 2, 1981.

2. Clear vision from the front windows into the amusement machine center must be maintained.

3. The family amusement machine center must be well lighted during operating hours.

4. The family amusement machine center may be inspected by the Police Department at any time.

5. All activities shall be limited to 9 a.m. to 10 p.m. seven days a week."

BE IT FURTHER RESOLVED by the Council of the City of Modesto that the City Clerk of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of December, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1050

A RESOLUTION AMENDING SECTIONS 1 AND 2 OF RESOLUTION NO. 77-1340 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(176). (NORMAN WINSOR)" TO ALLOW AN OFFICE CONDOMINIUM, PROPERTY LOCATED AT THE NORTHEAST CORNER OF STANDIFORD AVENUE AND PRESCOTT ROAD (BARNETT/RANGE CORPORATION).

WHEREAS, the City Council by Ordinance No. 1697-C.S., which was adopted on December 27, 1977, and which became effective January 26, 1978, amended Section 7-3-9 of the Zoning Map to reclassify from Low Density Residential Zone, R-1 to Planned Development Zone, P-D(176), property located at the northwest corner of Standiford Avenue and Prescott Road extended, to permit construction of a neighborhood shopping center, and

WHEREAS, City Council Resolution No. 77-1340 approved the development plan for P-D(176) and contained conditions of approval thereof, and

WHEREAS, a verified application for an amendment to P-D(176) was filed by Barnett/Range Corporation on September 14, 1981, to allow development of an office condominium, and

WHEREAS, said application was set for a public hearing before the Planning Commission on October 26, 1981, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 81-244 found and determined that the requested amendment of P-D(176) is required by public necessity, convenience, and general welfare for the following reasons:

1. There is a need in the community for office condominiums.

2. The proposed amendment will allow a neighborhood shopping center to be located at either southerly corner of the Prescott/Standiford major street intersection.

and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California on December 1, 1981, at 4:00 p.m., and

WHEREAS, after hearing evidence both oral and documentary, the Council finds and determines that the requested amendment to P-D(176) is required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 81-244 and quoted above, and

WHEREAS, the City Council certifies that at said meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a Negative Declaration in regard to the environmental impact of the proposed amendment to Planned Development Zone, P-D(176),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Sections 1 and 2 of Modesto City Council Resolution No. 77-1340 entitled, "A Resolution Approving A Development Plan For Planned-Development Zone, P-D(176). (Norman Winsor)," are hereby amended to read as follows:

"SECTION 1. DEVELOPMENT PLAN. The revised development plan for P-D(176), is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan titled "Modesto Executive Park" as amended in red, stamped approved by the Planning Commission on November 2, 1981.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code. Screen landscaping shall be installed along the northeast property line.

3. Fencing shall be constructed prior to occupancy of Phase V and shall be as follows:

   Six foot chain link fence along the M.I.D. Lateral No. 7.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. Drainage shall be provided as required by the Director of Public Works.

6. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

7. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

8. All signs shall comply with the sign requirements of the P-O Zone.

9. Prior to the issuance of a building permit for any structure, a subdivision map shall be recorded.

10. Prior to issuance of a building permit, the developer shall pay the City of Modesto the cost of planting street trees, the number as determined by the Director of Public Works.

11. All curbcuts serving two-way driveways shall be widened to 41 feet in width.

12. The applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. Hydrants shall be installed and operable prior to construction of any structures.

SECTION 2. DEVELOPMENT SCHEDULE. The following revised development schedule is hereby approved for said Planned-Development Zone, P-D(176):

That the construction program be accomplished in five phases as follows:

	Start of Construction	Completion of Construction
Phase I	July 1, 1983	July 1, 1984
II	July 1, 1984	July 1, 1985
III	July 1, 1985	July 1, 1986
IV	July 1, 1986	July 1, 1987
V	July 1, 1985	July 1, 1987

BE IT FURTHER RESOLVED by the Council of the City of Modesto that all of the provisions of Modesto City Council Resolution No. 77-1340 approved by the Council on December 27, 1977, that are not amended or affected by the provisions of this resolution shall remain in full force and effect.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject amendment to Planned Development Zone, P-D(176).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of December, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Acting Mayor Lang

NOES: Councilmembers: Siefkin

ABSENT: Councilmembers: Patterson, Mayor Mensinger

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1051

A RESOLUTION ACCEPTING THE BID OF CENTRAL VALLEY EQUIPMENT FOR FURNISHING THREE TURF TRUCKS

WHEREAS, Resolution No. 81-746, adopted by the Council of the City of Modesto on August 25, 1981, approved the plans and specifications for the purchase of three turf trucks and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of three turf trucks were opened at 2:00 p.m. on November 10, 1981, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Central Valley Equipment in the amount of $14,453.10 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Central Valley Equipment in the amount of $14,453.10 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of December, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Muratore /Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1052

A RESOLUTION ACCEPTING THE BID OF FULLER O'BRIEN ON ITEMS 1,2,3,5,6, and 7; KELLY MOORE ON ITEMS 4 and 9; AND SHERWIN WILLIAMS ON ITEM 8 FOR ANNUAL REQUIREMENT OF MAINTENANCE PAINT

WHEREAS, Resolution No. 81-906, adopted by the Council of the City of Modesto on October 13, 1981, approved the plans and specifications for the furnishing of annual requirements of maintenance paint and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of annual requirements of maintenance paint were opened at 2:20 p.m. on November 3, 1981, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Fuller O'Brien on Items 1,2,3,5,6, and 7; Kelly Moore on Items 4 and 9; and Sherwin Williams on Item 8 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bids of Fuller O'Brien, Kelly Moore and Sherwin Williams be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of December, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Muratore /Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1053

A RESOLUTION ACCEPTING THE BID OF BONANDER PONTIAC, INC. FOR FURNISHING ONE NEW CUMMINS DIESEL AUTOMOTIVE ENGINE FOR THE FIRE DEPARTMENT

WHEREAS, Resolution No.81-957, adopted by the Council of the City of Modesto on October 27, 1981, approved the plans and specifications for the purchase of one new Cummins diesel automotive engine for the Fire Department and authorized the calling for bids; and

WHEREAS, the bids received for the new Cummins diesel automotive engine were opened at 2:10 p.m. on November 17, 1981, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Bonander Pontiac, Inc. in the amount of $16,588.83 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Bonander Pontiac, Inc. in the amount of $16,588.83 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of December, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None
Muratore

ABSENT: Councilmembers: /Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1054

A RESOLUTION ACCEPTING THE BID OF CLYDE WHEELER PIPELINES FOR THE NORWEGIAN, GORDON, TOKAY AVENUE WATER STRENGTHENING

WHEREAS, Resolution No.81-974, adopted by the Council of the City of Modesto on November 3, 1981, approved the plans and specifications for the Norwegian, Gordon, Tokay Avenue water strengthening and authorized the calling for bids; and

WHEREAS, the bids received for the Norwetian, Gordon, Tokay Avenue water strengthening were opened at 11:00 a.m. on November 24, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Clyde Wheeler Pipelines in the amount of $21,248.30 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Clyde Wheeler Pipelines in the amount of $21,248.30 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of December, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore / Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1055

A RESOLUTION ACCEPTING THE BID OF CLYDE WHEELER PIPELINES FOR THE WATER MAIN REPLACEMENT AT TERESA AVENUE AND GRAPE AVENUE

WHEREAS, Resolution No. 81-975, adopted by the Council of the City of Modesto on November 3, 1981, approved the plans and specifications for the water main replacement at Teresa Avenue and Grape Avenue and authorized the calling for bids; and

WHEREAS, the bids received for the water main replacement at Teresa Avenue and Grape Avenue were opened at 11:05 a.m. on November 24, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Clyde Wheeler Pipelines in the amount of $9,980 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Clyde Wheeler Pipelines in the amount of $9,980 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of December, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
		Muratore
ABSENT:	Councilmembers:	/Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1056

A RESOLUTION ACCEPTING THE BID OF GABE MENDEZ, INC. FOR CONSTRUCTION OF THE AIRPORT RUNWAY SAFETY AREA, ADAP #6-06-0153-09

WHEREAS, Resolution No. 81-954, adopted by the Council of the City of Modesto on October 27, 1981 , approved the plans and specifications for the construction of the Airport runway safety area and authorized the calling for bids; and

WHEREAS, the bids received for the construction of the Airport runway safety area were opened at 11:05 a.m. on November 17, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Gabe Mendez, Inc. in the amount of $74,396.50 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Gabe Mendez, Inc. in the amount of $74,396.50 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of December , 1981 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Muratore /Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1057

A RESOLUTION ACCEPTING THE BID OF GEORGE REED, INC. FOR THE HOUSING TARGET AREA 3 - PHASE 1

WHEREAS, Resolution No.81-956, adopted by the Council of the City of Modesto on October 27, 1981 , approved the plans and specifications for the Housing Target Area 3 - Phase 1 and authorized the calling for bids; and

WHEREAS, the bids received for the Housing Target Area 3 - Phase 1 were opened at 11:00 a.m. on November 17, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of George Reed, Inc. in the amount of $332,891.75 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of George Reed, Inc. in the amount of $332,891.75 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of December , 19 81, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Muratore /Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1058

A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE MANCINI PARK IRRIGATION SYSTEM AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of the Mancini Park irrigation system has been completed by Grover Landscaping, Inc.

in accordance with the contract agreement dated July 7, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of the Mancini Park irrigation system be accepted from said contractor, Grover Landscaping, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $45,246 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of December, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Acting Mayor Lang Siefkin,

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore, Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1059

A RESOLUTION GRANTING IN PART AND DENYING IN PART THE APPEAL FILED BY ERNEST SETLIFF ON BEHALF OF SETLIFF BROTHERS TO A DECISION OF THE BOARD OF ZONING ADJUSTMENT RELATING TO PLOT PLAN APPROVAL AND TO CERTAIN CONDITIONS IMPOSED BY THE BOARD OF ZONING ADJUSTMENT IN GRANTING A CONDITIONAL USE PERMIT IN THE H-1 ZONE.

WHEREAS, an application for a conditional use permit in the H-1 Zone for a combination retail store, gas station and self-service carwashing facility, on the southerly corner of 7th Street and Tuolumne Boulevard, was filed by Setliff Brothers on October 3, 1980, and

WHEREAS, Sections 10-2.1904(a) and 10-2.2004 of the Modesto Municipal Code authorize the Board of Zoning Adjustment to grant conditional use permits and amendments thereto, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on October 23, 1980, December 18, 1980, and February 26, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearingsevidence, both oral and documentary, was received and considered, and

WHEREAS, after holding said public hearings the Board of Zoning Adjustment adopted Resolution No. 964 on February 26, 1981, granting a conditional use permit in the H-1 Zone for a retail store and gas station at the southerly corner of 7th Street and Tuolumne Boulevard, and denying the car wash facility portion of the application for the following reasons:

1. Retail sales and gas stations are permitted uses in the H-1 Zone subject to securing a conditional use permit from the Board of Zoning Adjustment.

2. The portion of the site proposed for the retail store and gas station is a relatively flat and usable piece of land orienting to the two streets upon which it fronts.

3. The revised site design together with the addition of a wall and screen landscaping will make the development compatible with a City park on the southeast, and with commercial-industrial development to the northwest.

and

WHEREAS, an appeal to the decision of the Board of Zoning Adjustment was filed with the City Council of the City of Modesto by Ernest Setliff on behalf of Setliff Brothers, by a letter dated March 10, 1981, to appeal certain aspects of the plot plan approval and certain conditions imposed by the Board of Zoning Adjustment relating to the following:

1. Changes to the applicant's plot plan required by the Board of Zoning Adjustment, eliminating the proposed driveway from the development site onto 7th Street.

2. Board of Zoning Adjustment condition number 4, requiring that the applicant construct a seven (7) foot decorative masonry wall along the southeast and south property lines prior to occupancy.

3. That portion of Board of Zoning Adjustment condition number 6, requiring the applicant to reduce his building and canopy in size to provide a fifteen (15) foot setback from the new property lines, should additional right-of-way be required by the City to widen 7th Street or Tuolumne Boulevard to major street standards.

4. Changes to the applicant's plot plan required by the Board of Zoning Adjustment, increasing the width of the planter along the southeast and south property lines from two (2) feet to six (6) feet.

WHEREAS, said appeal was set for hearing before the City Council of the City of Modesto in the Council Chambers, City Hall, 801 11th Street, Modesto, California, at 4:00 o'clock p.m. on June 16, 1981, and continued to 4:00 o'clock p.m. on July 21, 1981, and

WHEREAS, said hearing was held at 4:00 o'clock p.m. on July 21, 1981 and evidence, both oral and documentary, was presented and considered, and

WHEREAS, after said public hearing, the City Council of the City of Modesto adopted Resolution No. 81-619, in which it found and determined that the conditions imposed by the Board of Zoning Adjustment in its Resolution No. 964 requiring a seven (7) foot decorative masonry wall and dedication of right-of-way to widen 7th Street and Tuolumne Boulevards should be amended, and the appeal should be granted in those respects, and that the plot plan adopted by the Board of Zoning Adjustment in its Resolution No. 964 requiring a six (6) foot planter along the southeast and east property lines, and eliminating a proposed driveway from the development site onto 7th Street, should be affirmed, and the appeal denied in those respects, and

WHEREAS, on October 5, 1981, Ernest Setliff and Arnold Setliff, individually and doing business as Setliff Brothers, filed a Petition for Writ of Mandate, Complaint for Declaratory Relief, and Complaint for Injunctive Relief in the Stanislaus County Superior Court, Case No. 178787, seeking review of that portion of City Council Resolution No. 81-619 affirming the elimination of a proposed driveway from the development site onto 7th Street, and

WHEREAS, after a hearing before the Court on November 5, 1981, the Court issued its Decision, dated November 13, 1981, directing that this matter be presented to the Respondent City Council of the City of Modesto, for its consideration and the making of such findings as the Council may deem appropriate to support its decision relative to the elimination of the proposed driveway from the development site onto 7th Street, and

WHEREAS, said matter was presented to the City Council at its regular meeting of December 1, 1981 for consideration of the making of findings relative to the elimination of the proposed driveway from the development site onto 7th Street, and

WHEREAS, the matter was considered by the City Council at its regular meeting of December 1, 1981, for the making of findings relative to the elimination of the proposed driveway from the development site onto 7th Street, and the City Council determined that the decision of the Board of Zoning Adjustment, set forth in its Resolution No. 964, relating to the approval of a plot plan eliminating the proposed driveway from the development site onto 7th Street, should be affirmed, and the appeal of Ernest Setliff, on behalf of Setliff Brothers, should be denied in that respect for the reasons set forth below:

1. The location of the proposed driveway approximately 48 feet from the corner of Tuolumne Boulevard and 7th Street would result in a source of conflict between traffic using the proposed driveway, and traffic at the corner, especially traffic traveling eastbound on Tuolumne Boulevard and turning right at the intersection to proceed south on 7th Street.

2. The proximity of the narrow, two-lane 7th Street Bridge makes the proposed driveway an additional distraction to vehicles using 7th Street, especially since 7th Street south of Tuolumne Boulevard has a single south-bound lane.

3. The location of the development site at the intersection of two major streets creates a source of conflict between traffic using the proposed driveway and traffic using those streets.

4. Due to the irregular shape and relatively small size of the development site, all areas available for parking must be utilized, and the proposed driveway would eliminate legally-required spaces for on-site parking. The applicant's proposed plot plan, with the proposed driveway onto 7th Street, provided four on-site parking spaces, when five on-site parking spaces are legally required.

5. The proximity of the Southern Pacific Railroad crossing on B Street immediately adjacent to 7th Street, makes the proposed driveway an additional distraction to vehicles using the intersection. The traffic signal at the intersection of 7th and B Streets has a railroad pre-emption sequence which on occasion, in the case of transit of a train at the intersection, requires vehicles entering the intersection to wait at the intersection beyond their normal traffic signal cycle.

6. The City's Director of Parking and Traffic, the City's traffic engineer and a state registered civil engineer and professional engineer in traffic engineering, has reviewed the plot plan and recommended deletion of the proposed driveway.

7. The transcript of the Board of Zoning Adjustment meeting of February 26, 1981, reveals that one boardmember has made frequent use of the intersection of 7th Street and Tuolumne Boulevard and observed a traffic problem at that intersection, including "bottleneck" traffic congestion at the corner, which problem would be aggravated by the allowance of the proposed driveway onto 7th Street.

8. Adequate exiting for the site is provided by the approved driveways onto Tuolumne Boulevard.

and

WHEREAS, the Council of the City of Modesto hereby reaffirms that after its hearing at 4:00 o'clock p.m. on July 21, 1981, it has found and determined that the conditions imposed by the Board of Zoning Adjustment in its Resolution No. 964 relating to the seven (7) foot decorative masonry wall and dedication of right-of-way to widen 7th Street and Tuolumne Boulevards should be amended, and the appeal of Ernest Setliff, on behalf of Setliff Brothers, should be granted in part for the reasons set forth below:

1. The installation of a 7 foot decorative masonry wall along the southeast and south property lines could be installed by July 21, 1982, and still ensure compatibility between the development site and adjacent properties.

2. While the applicant is required to maintain 15 foot setbacks from the property lines on 7th Street and Tuolumne Boulevard, the applicant is required only to dedicate and/or improve sufficient right-of-way as required by the Director of Public Works to complete Tuolumne Boulevard and 7th Street to major street standards.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that conditions No. 4 and 6, contained in the above-referred to Board of Zoning Resolution No. 964, are hereby amended to read as follows:

4. A 7 foot decorative masonry wall along the southeast and south property lines shall be constructed by July 21, 1982.

6. The developer shall dedicate and/or improve sufficient right-of-way as required by the Director of Public Works to complete Tuolumne Boulevard and 7th Street to major street standards prior to occupancy or upon demand by the City, whichever occurs first. All buildings and canopies shall be constructed with 15 foot setbacks from both property lines.

BE IT FURTHER RESOLVED that all other provisions and conditions of the above-referred to Board of Zoning Resolution No. 964, and in particular, the approval of the plot plan eliminating the proposed driveway from the development site onto 7th Street, and increasing the width of the planter along the southeast and south property lines from two (2) feet to six (6) feet, shall remain in full force and effect for the reasons set forth above and that in those respects, the decision of the Board of Zoning Adjustment be and is hereby affirmed.

BE IT FURTHER RESOLVED that this Resolution shall supersede Modesto City Council Resolution No. 81-619.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of December, 1981,

by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	
ABSENT:	Councilmembers:	Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1060

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR SHERWOOD FOREST NO. 2 ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for Sherwood Forest No. 2 Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of December, 19 81, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Siefkin, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Muratore, Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City MODESTO

2. Name of Proposed Annexation SHERWOOD FOREST NO. 2

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

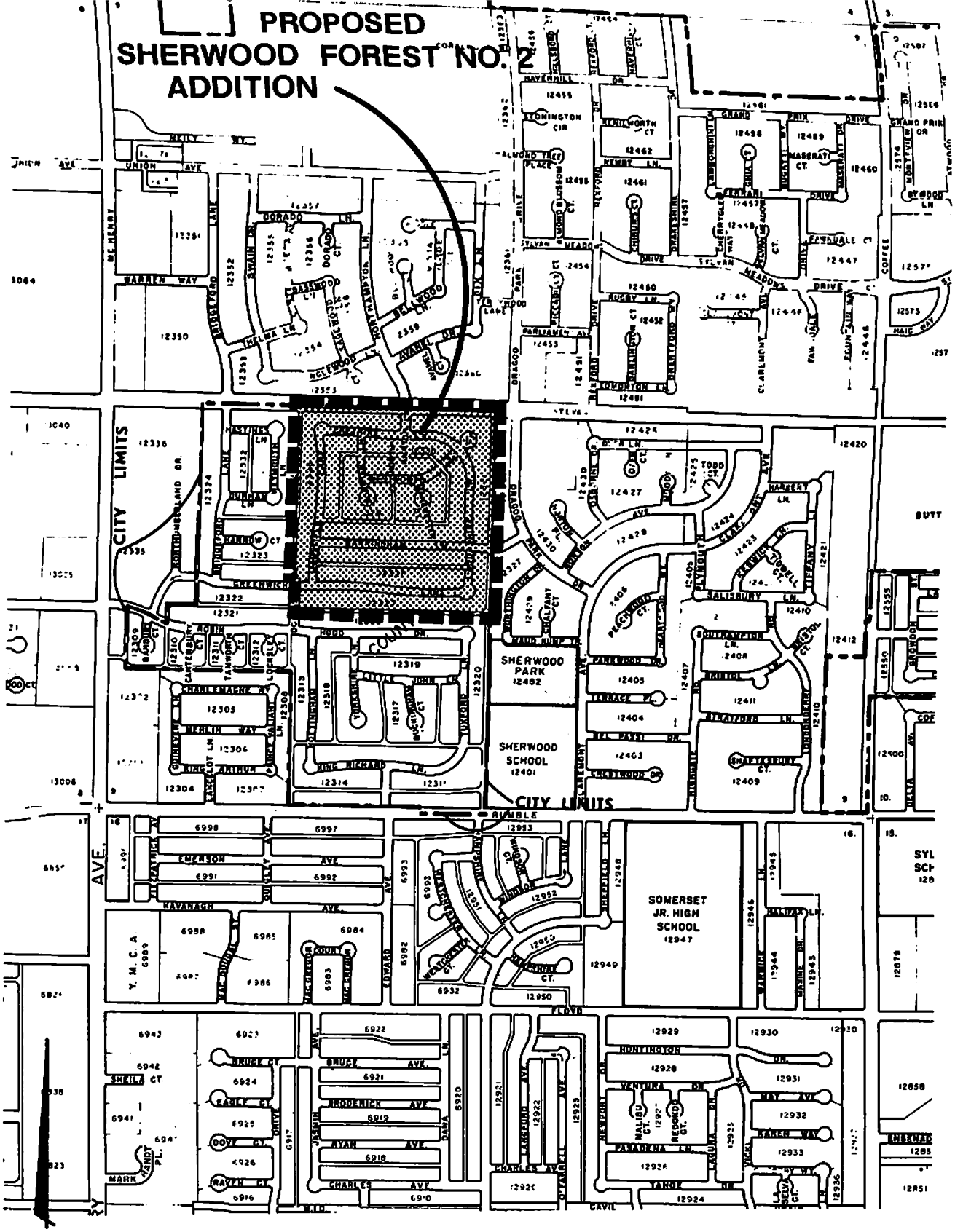
   YES

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

   NO

5. Other comments the city would like to make.

   INDEPENDENT NEGOTIATION OF PROPERTY TAX HAS BEEN REQUESTED BY SEPARATE RESOLUTION.



SCALE · 1"=1000'

PROPOSED
SHERWOOD FOREST NO. 2
ADDITION
TO THE CITY OF MODESTO

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 1061

A RESOLUTION DECLARING THE EXISTENCE OF EXTENUATING CIRCUMSTANCES WHICH MAKE PROPERTY TAX ALLOCATION PROVISIONS OF AGREEMENT DATED FEBRUARY 26, 1980, INAPPLICABLE TO THE SHERWOOD FOREST NO. 2 ANNEXATION TO THE CITY OF MODESTO.

WHEREAS, pursuant to the provisions of Chapter 282 of the Statutes of 1979 of the State of California, the City of Modesto and the County of Stanislaus have both approved an agreement dated February 26, 1980, providing for the distribution of property tax revenue on jurisdictional changes, and

WHEREAS, under the terms of said agreement, the parties affected by an annexation or government reorganization, shall enact a resolution either incorporating the applicable allocation provisions of said agreement or declaring the existence of extenuating circumstances, and

WHEREAS, property owners have submitted petitions requesting annexation of the area known as the Sherwood Forest No. 2 Annexation to the City of Modesto, and

WHEREAS, it has been determined that said Sherwood Forest No. 2 Annexation has twelve (12) or more registered voters, and/or more than $500,000 assessed valuation, and

WHEREAS, it has been determined that the existence of extenuating circumstances should be declared regarding said annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby declares the existence of extenuating circumstances which make the property tax allocation provisions of the above referred to agreement inapplicable to the Sherwood Forest No. 2 Annexation to the City of Modesto.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to transmit certified copies of this resolution to the Executive Officer of LAFCO, the Board of Supervisiors of Stanislaus County and McHenry-Dry Creek Fire Protection District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of December, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore, Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1062

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOE DIANNA FOR THE LEASE OF PORTIONS OF THE FORMER MAXWELL AND MCCLURE PROPERTIES WHICH ARE PART OF FUTURE DRY CREEK PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Joe DiAnna for the lease of portions of the former Maxwell and McClure properties which are part of future Dry Creek Park

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st **day of** December, **19**81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Siefkin, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Muratore, Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1063

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LEO AND TERESA VALDIVIA FOR THE ACQUISITION OF 0.15± ACRES OF THEIR PROPERTY NEEDED FOR THE PARADISE/ELLEN TO CARPENTER PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Leo and Teresa Valdivia **for** the acquisition of 0.15± acres of their property needed for the Paradise/Ellen to Carpenter project **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st **day of** December, 19 81, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore, Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1064

A RESOLUTION VACATING AND ABANDONING A PORTION OF A 10-FOOT PUBLIC UTILITY EASEMENT IN LOT 11 OF BLOCK 1508 IN THE CITY OF MODESTO PURSUANT TO SECTION 8333 OF THE STREETS AND HIGHWAYS CODE.

WHEREAS, Section 8333 and following of the California Streets and Highways Code authorize a city council, by resolution, to vacate and abandon easements, and

WHEREAS, there is an easement in Lot 11 of Block 1508 on the real property described in Exhibit "A" attached hereto, which is a protion of a 10-foot public utility easement, and

WHEREAS, the Council finds and declares that:

1. The abandonment and vacation is made pursuant to Chapter 4 of Part 3 of Division 9 of the Streets and Highways Code.

2. The easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

3. That from and after the date this resolution is recorded, the easement vacated will no longer constitute a public utility easement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a portion of the 10-foot public utility easement in Lot 11 of Block 1508 in the City of Modesto which is described in Exhibit "A", which is attached hereto and incorporated by reference herein be, and it is hereby vacated and abandoned, such vacation and abandonment to be effective upon the recording of a certified copy of this resolution in the Stanislaus County Recorder's Office.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of December, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore, Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Rod Campbell
Public Works Department
J. Christianson, 12-1-81

VACATE AND ABANDON A 10-FOOT PUBLIC UTILITY EASEMENT
IN BLOCK 1508

All that real property in the State of California, County of Stanislaus, City of Modesto, being a portion of the Southeast quarter of Section 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Southwestern corner of Lot 11 in Block 1508 of the EASTRIDGE NO. 6 Subdivision, as per map filed June 8, 1976 in Volume 26 of Maps, Page 2, Stanislaus County Records; thence along the Southwestern line of said Lot 11, North 24° 44' 38" West, 10.00 feet, to a point on a line which is parallel with and 10.00 feet, measured at right angles, Northwesterly from the Southeastern line of Lot 11; thence along said parallel line, North 63° 36' 10" East, 104.71 feet, to a point on the Northeastern line of Lot 11; thence along said Northeastern line of Lot 11, South 26° 23' 50" East, 10.00 feet, to said Southeastern line of Lot 11; thence along the Southeastern line of Lot 11, said line also being the Northwestern line of 80.00 foot Scenic Drive, South 63° 36' 10" West, 105.00 feet, to the point of beginning.

EXHIBIT "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1065

A RESOLUTION ACCEPTING IMPROVEMENTS IN SHASTA MEADOWS SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Joaquin Construction Co., Inc. , subdividers of Shasta Meadows Subdivision , have filed subdivision bonds for faithful performance and labor and materials in the amount of $ 458,100.00 and $ 229,050.00 respectively to guarantee improvements in Shasta Meadows Subdivision ; and

WHEREAS, the Director of Public Works in a memorandum dated November 24, 1981, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the subdivision bonds upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Shasta Meadows Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the subdivision bond for faithful performance in the amount of $ 458,100.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the subdivision bond for labor and materials in the amount of $ 229,050.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of December , 1981 by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore, Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1066

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON AMENDMENT TO THE SIGN REGULATIONS - NON-COMMERCIAL OUTDOOR ADVERTISING SIGNS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that December 15, 1981, at 4:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of an amendment to Sections 10-2.3502, 10-2.3503, 10-2.3511, and creating Section 10-2.3512 of the Sign Regulations pertaining to non-commercial outdoor advertising signs.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of December, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore, Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1067

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WILSON M. AND BONNIE D. BOYD FOR SEWER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 1044 CALIFORNIA AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Wilson M. and Bonnie D. Boyd **for** sewer service to property outside City limits at 1044 California Avenue, located on the southeast corner of California Avenue and Panama Drive **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st **day of** December, 1981, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore, Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1068

A RESOLUTION ACCEPTING A GRANT FROM THE URBAN MASS TRANSPORTATION ADMINISTRATION (UMTA) FOR NINE TRANSIT BUSES AND RELATED EQUIPMENT AND AUTHORIZING THE EXECUTION OF THE GRANT CONTRACTS BY THE CITY MANAGER

WHEREAS, the Urban Mass Transportation Administration (UMTA) has approved the City's grant application for the purchase of 9 new transit buses and related equipment; and

WHEREAS, the approved grant will cover 80% ($1,360,000) of the estimated $1,700,000 cost,with the City's 20% share of the cost ($340,000) to be paid from the Local Transportation Fund.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Modesto that it does hereby accept the grant offer of the Urban Mass Transportation Administration in the amount of $1,360,000, for the purchase of 9 new transit buses and related equipment.

BE IT FURTHER RESOLVED that the City Manager of the City of Modesto is hereby authorized and directed to sign the grant contracts on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of December, 1981, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote;

AYES: Councilmembers; Bright, Elliott, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore, Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1069

A RESOLUTION APPROVING THE FINAL MAP OF THE TULLY MANOR NORTH CONDOMINIUMS SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Stone Investment Company, a co-partnership

is (~~are~~) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 4.23 acres, known as the Tully Manor North Condominiums Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 2nd day of June, 1980, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Tully Manor North Condominiums Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

WHEREAS, all the requirements of the California Subdivision Map Act regarding notice to tenants of the condominium conversion have been complied with, or conditions found excusing such compliance, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of December, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Council-

member Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1069A

A RESOLUTION DECLARING THAT A SUFFICIENT PROTEST HAS NOT BEEN MADE AGAINST THE ANNEXATION OF CERTAIN INHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS HADDON-EL VISTA ANNEXATION TO THE CITY OF MODESTO, AND ANNEXING SAID TERRITORY.

WHEREAS, by Resolution No. 81-931, adopted on October 13, 1981, the Council of the City of Modesto initiated proceedings to annex to the City of Modesto certain inhabited territory known as Haddon-El Vista Annexation to the City of Modesto, and

WHEREAS, by said Resolution No. 81-931, the Council fixed the 24th day of November, 1981, at the hour of 7:30 o'clock P.M., in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto as the time and place for hearing protests against said annexation, and

WHEREAS, a copy of said Resolution No. 81-931 was duly published in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and in the County of Stanislaus and being the official newspaper of the City of Modesto, for the time and in the manner required by law, said publications being commenced at least fifteen (15) days prior to the date set for the hearing, and

WHEREAS, the City Clerk has given notice to all persons legally entitled thereto, in the manner required by law, and

WHEREAS, on the 24th day of November, 1981, at the hour of 7:30 o'clock P.M., in the Council Chambers at the City Hall, 801 11th Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and receive all protests made to the proposed annexation, and

WHEREAS, upon conclusion of said hearing the Council continued said matter to its meeting on December 8, 1981, for further consideration, and

WHEREAS, at its meeting on December 8, 1981, the Council determined the value of all written protests filed and not withdrawn, and

WHEREAS, less than twenty-five (25%) percent of the registered voters within the territory and less than twenty-five (25%) percent of the owners of land who own less

than twenty-five (25%) percent of the total assessed value of land within the territory filed and did not withdraw written protests prior to the close of said hearing, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by Resolution dated September 16, 1981, ordered that a negative declaration be filed as to the environmental effect of the subject annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All of the requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the Haddon-El Vista Annexation to the City of Modesto, is inhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. A sufficient protest against the proposed annexation of said territory has not been made to require an election.

5. Said territory is hereby annexed to and made a part of the City of Modesto.

6. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate of completion by the LAFCO executive officer.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of the subject annexation is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of said annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Muratore, who moved its adotpion, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Bob Campbell
Public Works Department

HADDON-EL VISTA
ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of Sections 26 and 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southwestern corner of the Riverside No. 5 Addition (269), as per description filed May 5, 1971, as Instrument 16247, Stanislaus County Records;

1. thence along the existing City Limits and the Southern line of said Addition (269), South 89° 57' 10" East, 656.84 feet, to a Northwestern corner of the Riverside Addition (228) as per description filed March 24, 1969, as Instrument 9772, Stanislaus County Records;

2. thence continuing along the existing City Limits and the Western line of said Addition (228), South 00° 34' 45" East, 670.38 feet, to a Northeastern corner of the Glendale-Miller Addition (287), as per description filed May 3, 1972, as Instrument 17664, Stanislaus County Records;

3. thence continuing along the existing City Limits along the Northern line of said Addition (287), and the center line of 60 foot Haddon Avenue, the following bearings and distances, North 89° 56' 10" West, 536.73 feet;

4. thence South 80° 33' 25" West, 121.27 feet to the center line of 60 foot Trask Lane;

5. thence North 89° 56' 10" West, 1313.45 feet to the center line of 60 foot El Vista Avenue and the section line of Section 26 and 27;

6. thence North 89° 46' 00" West, 164.41 feet to a point on the Eastern line of the LaLoma-Yosemite Addition (55) as per description filed December 4, 1953, as Instrument 30045, Stanislaus County Records;

7. thence along the existing City Limits and the Eastern line of said Addition (55), North 00° 36' 30" West, 679.10 feet to a Southwestern corner of the El Vista School Addition (232), as per description filed June 2, 1969, as Instrument 19184, Stanislaus County Records;

8. thence along the Southern line of said Addition (232), and the center line of 60 foot Roble Avenue, South 89° 46' 00" East, 164.34 feet, to the center line of 60 foot El Vista Avenue;

9. thence South 00° 36' 30" East, 109.99 feet, along said center line and the North-South section line of Sections 26 and 27, to the center line of 60 foot Roble Avenue;

10. thence continuing along the existing City Limits, along said center line of Roble Avenue, South 89° 56' 10" East, 656.73 feet, to the center line of 60 foot Colfax Avenue;

11. thence along the Eastern line of said Addition (232) and the center line of said 60 foot Colfax Avenue, North 00° 35' 55" West, 70.90 feet;

12. thence leaving the existing City Limits, along the center of 60 foot Roble Avenue, South 89° 56' 10" East, 656.83 feet, to the center line of 60 foot Trask Lane;

13. thence along said center line North 00° 35' 20" West, 50.19 feet, to the point of beginning, continuing 30.924 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1070

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (319).

WHEREAS, a verified application for an amendment to Section 27-3-9 of the Zoning Map was filed by Trudy Bowman, William D. Hughes, James R. Hicks, and James D. Hicks on August 17, 1981, to reclassify from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D, the following described property:

All that real property situate in the northwest quarter of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, City of Modesto, California, described as follows:

All of Lot 20 and Lot 21 as shown on the map of Sunnyside Acres, filed in Book 5 of Maps at Page 45, Stanislaus County Records, more particularly described as follows:

BEGINNING at the southwest corner of said Lot 21, said point being on the centerline of present 90 foot wide Coffee Road; thence North 0° 15' West on the centerline of Coffee Road and the west line of Lots 20 and 21, a distance of 220 feet to the northwest corner of said Lot 20; thence South 89° 40' East on the north line of Lot 20, a distance of 329.62 feet to the northeast corner of said Lot 20; thence South 0° 15' East on the east line of Lots 20 and 21, a distance of 220 feet to the southeast corner of said Lot 21; thence North 89° 40' West on the south line of Lot 21, a distance of 329.62 feet to the point of beginning of this description.

Containing 1.664 acres more or less.

WHEREAS, after a public hearing held on September 21, 1981, and continued to October 26, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reason:

> The proposed P-D office complex, being located on a major street near the expanding Gould Medical Complex, which together with other nearby commercial/office developments comprise an area of activity that fulfills the locational criteria for such offices.

WHEREAS, after a public hearing held on December 1, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Trudy Bowman, William D. Hughes, James R. Hicks, and James D. Hicks for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2101-C.S. on the 8th day of December, 1981, reclassifying the above-described property from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D(319).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(319) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan titled "Coffee Road Professional Office Complex" as amended in red, stamped approved by the Planning Commission on October 26, 1981.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code. Screen landscaping shall be installed along the south and east property lines.

3. Fencing shall be constructed prior to occupancy and shall be as follows:

   a. 6 foot board fence with decorative masonry pilasters on the north, east and south property lines.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. The developer shall dedicate and/or improve sufficient right-of-way as required by the Director of Public Works to complete Coffee Road to a major street standard prior to occupancy or upon demand by the City, whichever occurs first.

6. The required public street improvements shall be constructed prior to occupancy of any structures.

7. Prior to issuance of a building permit, street improvement plans shall be approved by the Director of Public Works.

8. Prior to issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the Director of Public Works.

9. Drainage shall be provided as required by the Director of Public Works.

10. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

11. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

12. No operations conducted on the premises shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration, or electrical interference detectable off the premises. All machinery or equipment shall be soundproofed as required by the Director of Public Works.

13. All signs shall comply with the sign requirements of the P-O Zone.

14. All curbcuts serving two-way driveways shall be widened to 41 feet in width.

15. The applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. Hydrants shall be installed and operable prior to the construction of any structures.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (319):

That the construction program be accomplished in 2 phases as follows:

Phase I - Start of construction on or before July 1, 1983 and completion to be not later than January 1, 1985.

Phase II - Start of construction on or before January 1, 1985 and completion to be not later than July 1, 1986.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (319) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin, Mayor Mensinger

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Smith
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1071

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 27-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (BOWMAN, HUGHES, HICKS)

WHEREAS, on December 8, 1981, the City Council introduced Ordinance No. 2101-C.S. giving approval to a project relating to an amendment to Section Map 27-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(319), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 27-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(319).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1072

A RESOLUTION VACATING AND ABANDONING A PORTION OF VENEMAN AVENUE BETWEEN M. I. D. LATERAL NO. 7 AND VENEMAN AVENUE NORTH IN THE CITY OF MODESTO.

WHEREAS, the Council of the City of Modesto adopted Resolution No. 81-989 on November 3, 1981, declaring its intention to vacate and abandon a portion of Veneman Avenue between M. I. D. Lateral No. 7 and Veneman Avenue North in the City of Modesto, and naming a time and place for a public hearing on said vacation and abandonment and providing notice thereof, and

WHEREAS, the portion of Veneman Avenue between M. I. D. Lateral No. 7 and Veneman Avenue North in the City of Modesto to be vacated and abandoned is more particularly shown on that certain map entitled, "Vacate and Abandon a Portion of Veneman Avenue at Block 13455 LD 80-C", dated April 29, 1980, which is on file in the office of the City Clerk, and

WHEREAS, said Resolution No. 81-989 was published in the Modesto Bee, the official newspaper of the City of Modesto, once each week for two (2) successive weeks prior to the public hearing, and

WHEREAS, the Director of Planning and Community Development of the City of Modesto has caused notices of said proposed vacation and abandonment to be posted conspicuously along the lines of the property proposed to be vacated and abandoned at least fourteen (14) days before the date of the public hearing in the manner specified by law, and

WHEREAS, a public hearing was held on Tuesday, November 24, 1981, at 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, at which time all persons interested in or objecting to the proposed vacation and abandonment were afforded the opportunity to appear, and

WHEREAS, all things and acts necessary to be done as required by Division 9, Part 3, Chapter 3, of the Streets & Highways Code of the State of California in order to vacate and abandon said property has been done and accomplished, and

WHEREAS, the Council finds and declares that the portion of Veneman Avenue between M. I. D. Lateral No. 7 and Veneman Avenue North in the City of Modesto is unnecessary for present or prospective vehicular traffic purposes, and that the vacation and abandonment thereof is in the public interest, subject to the conditions hereinafter set forth, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, that it hereby orders and declares the vacation and abandonment of the portion of Veneman Avenue between M. I. D. Lateral No. 7 and Veneman Avenue North in the City of Modesto, as shown on the map entitled "Vacate and Abandon a Portion of Veneman Avenue at Block 13455 LD 80-C", on file in the office of the City Clerk, and more particularly described on Exhibit "A" which is attached hereto and made a part hereof as though set forth in full herein, said vacation and abandonment to be on the following conditions:

1. That a public utility easement shall be retained over the entire 20-foot street right-of-way to be abandoned.

2. That a 20-foot wide easement for bicycle, pedestrian, and emergency access shall be retained over the area to be abandoned.

3. That the Director of Public Works is authorized and directed to construct appropriate barriers to physically close the abandoned right-of-way to vehicular traffic at its intersection with Standiford Avenue and at the point of abandonment west of M. I. D. Lateral No. 7.

4. That the plan for bicycle, pedestrian, and emergency access crossing of M.I.D. Lateral No. 7 be reviewed and approved by the Modesto Irrigation District.

5. That this resolution shall not be effective until the Board of Supervisors of Stanislaus County takes action to vacate and abandon the southerly adjacent 30 feet of Veneman Avenue.

BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to the vacation and abandonment of a portion of Veneman Avenue between M.I.D. Lateral No. 7 and Veneman Avenue North in the City of Modesto, County of Stanislaus, State of California.

BE IT FURTHER RESOLVED that at such time as condition no. 5, set forth above, has occurred, the City Clerk shall cause a certified copy of this resolution, attested under the seal of the City, to be recorded in the Office of the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:
By _____
Public Works Department

LD 80-C
Parcel 13455-4

VACATE AND ABANDON A PORTION OF VENEMAN AVENUE
AT BLOCK 13455

All that real property in the State of California, County of Stanislaus, City of Modesto, being a portion of the Northeast quarter of Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

COMMENCING at the Northeastern corner of Lot 1, Block 13420 of SUNSET COUNTRY ESTATES, according to the Official Map thereof, filed for record in Volume 24 of Maps, Page 4, Stanislaus County Records; thence North 88° 57' 40" East along the Southern right of way line of Veneman Avenue, a distance of 126.37 feet; thence Easterly 205.68 feet along a tangent curve, concave to the North, having a Radius of 700.00 feet and a Central Angle of 16° 50' 06" to a point on the centerline of Veneman Avenue, being also the East-West Quarter Section Line of Section 12, from which point a radial line bears North 17° 52' 26" West to the center, being the True Point of Beginning of this description; thence Easterly 60.50 feet along a tangent curve, concave to the North, having a Radius of 700.00 feet and a Central Angle of 4° 57' 06" to the North right of way line of Veneman Avenue; thence North 83° 57' 40" East along said North right of way line, to a point on the Northwesterly right of way line of Modesto Irrigation District Lateral No. 7; thence Southwesterly along said Northwesterly right of way to a point on said Centerline of Veneman Avenue; thence South 88° 57' 40" West along said centerline to the Point of Beginning.

Reserving all of the above as a Public Utilities Easement and as an Easement for Pedestrian, Bicycle, and Emergency Vehicle Access.

Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1073

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ALLEN R. AND CAROLYN M. GRANT REGARDING THE PROPERTY TRANSACTIONS INVOLVED IN THE DEVELOPMENT OF A COMMUNITY CENTER COMPLEX ON THE SEARS SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Allen R. and Carolyn M. Grant regarding the property transactions involved in the development of a community center complex on the Sears site

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th **day of** December**, 19** 81**, by Councilmember** Muratore**, who moved its adoption, which motion being duly seconded by Councilmember** Bright**, was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1074

A RESOLUTION DECLARING THAT A SUFFICIENT PROTEST HAS NOT BEEN MADE AGAINST THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS CALIFORNIA-SPENCER ANNEXATION TO THE CITY OF MODESTO AND ORDERING THE ANNEXATION OF SAID TERRITORY.

WHEREAS, by Resolution No. 81-988, adopted on November 3, 1981, the Council of the City of Modesto initiated proceedings to annex to the City of Modesto certain uninhabited territory known as California-Spencer Annexation to the City of Modesto, and

WHEREAS, by said Resolution No. 81-988, the Council fixed the 8th day of December, 1981, at the hour of 7:30 o'clock P.M., in the Council Chanbers at the City Hall, located at 801 11th Street in the City of Modesto as the time and place for hearing protests against said annexation, and

WHEREAS, a copy of said Resolution No. 81-988 was duly published in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and in the County of Stanislaus, and being the official newspaper of the City of Modesto, said publications being commenced at least fifteen (15) days prior to the date set for the hearing, and

WHEREAS, the City Clerk has given notice to all persons legally entitled thereto, in the manner required by law, and

WHEREAS, on the 8th day of December, 1981, at the hour of 7:30 o'clock P.M., in the Council Chambers at the City Hall, 801 11th Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation, and

WHEREAS, written protests have not been filed by the owners of fifty (50%) percent of the total assessed value of land and improvements within the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and

private owners of one-half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by Resolution dated October 21, 1981, ordered that a negative declaration be filed as to the environmental effect of the subject annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All of the requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the California-Spencer Annexation to the City of Modesto, is uninhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. Said territory is hereby annexed to and made a part of the City of Modesto.

5. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate

of completion by the LAFCO executive officer.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of the subject annexation is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of said annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By E. J. Wallace for Ross Campbell
Public Works Department

CALIFORNIA-SPENCER ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the North half of Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the most Southeasterly corner of the MARK TWAIN ADDITION (70), as per description filed June 22, 1956, as Instrument 17230, Stanislaus County Records;

1. thence along the existing City Limits and an Eastern line of said ADDITION (70), North 00° 11' 30" West, 200.00 feet, to the Southwestern corner of the EMERALD GARDENS ADDITION (126), as per description filed February 5, 1962, as Instrument 4485, Stanislaus County Records;

2. thence continuing along the existing City Limits on the Southern line of said ADDITION (126), North 89° 54' 07" East, 372.97 feet, to the Southeastern corner of said ADDITION (126), said point also being on the Northwestern line of the 100.00 foot Modesto Irrigation District Lateral No. 5;

3. thence continuing along the existing City Limits on the Southeastern line of said ADDITION (126), and said Northwestern line of the Modesto Irrigation District Lateral No. 5, North 34° 36' 52" East, 31.19 feet, to the Southwestern corner of the SPENCER ADDITION (144), as per description filed January 7, 1963, as Instrument 668, Stanislaus County Records;

4. thence continuing along the existing City Limits on the Southern line of said ADDITION (144), North 89° 54' 07" East, 918.22 feet, to the Southeastern corner of said ADDITION (144) and a point on the Western line of 40.00 foot Spencer Avenue;

5. thence continuing along the existing City Limits on the Eastern line of said ADDITION (144), and said Western line of Spencer Avenue, North 00° 10' 37" East, 518.33 feet, to the Northeastern corner of said ADDITION (144);

6. thence leaving the existing City Limits on the Easterly extension of the Northern line of said ADDITION (144), North 89° 57' 07" East, 20.00 feet, to the centerline of said 40.00 foot Spencer Avenue;

7. thence along said centerline of Spencer Avenue, South 00° 10' 37" West, 758.95 feet, to the East-West quarter section line of said Section 31, and the center line of 60 foot California Avenue;

8. thence along said East-West quarter section line of Section 31, and said center line, South 89° 54' 07" West, 1327.44 feet, to its intersection with the Southerly extension of said Eastern line of ADDITION (70);

9. thence along said Southerly extension of the Eastern line of ADDITION (70), North 00° 11' 30" West, 15.00 feet, to the point of beginning, containing 7.351 Acres, more or less.

(MSD-A2)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1075

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (BEVERLY-HARRIS ANNEXATION TO THE CITY OF MODESTO)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on October 27, 1981, duly adopted Resolution No. 81-962 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 227 be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, December 8, 1981, at the hour of 7:30 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the

wpc

Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 227 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 227 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 227, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 227, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

130/000-00160-01/15/79

BEVERLY-HARRIS ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 31, Township 3 South, Range 9 East, and the Northwest quarter of Section 6, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the most Northerly corner of the PARADISE-WADE ANNEXATION (381) as per description filed August 22, 1978 as Instrument 11378, Stanislaus County Records, said point being on the center line of 50.00 foot Paradise Road and on the North-South quarter section line in said Section 6;

1. thence along the existing City Limits and the center line of Paradise Road on the Northwestern boundary of said Addition (381), South 49° 55' 00" West, 461.54 feet;

2. thence leaving the existing City Limits and the center line of Paradise Road, North 40° 05' 00" West, 262.16 feet;

3. thence South 49° 55' 00" West, 10.00 feet;

4. thence North 40° 05' 00" West, 48.95 feet, to a point on the Southern line of 40.00 foot Beverly Drive;

5. thence along said Southern line of Beverly Drive, South 89° 30' 00" West, 13.07 feet;

6. thence North 00° 13' 00" West, 253.10 feet;

7. thence North 89° 30' 00" East, 148.14 feet, to the center line of 40.00 foot Ritsch Lane;

8. thence along said center line of Ritsch Lane, South 00° 13' 00" East, 69.60 feet;

9. thence North 89° 30' 00" East, 268.14 feet;

10. thence North 00° 13' 00" West, 100.00 feet;

11. thence South 89° 30' 00" West, 60.00 feet;

12. thence North 00° 13' 00" West, 285.99 feet;

13. thence North 89° 30' 00" East, 13.145 feet;

14. thence North 00° 13' 00" West, 150.00 feet;

15. thence South 89° 30' 00" West, 13.145 feet;

16. thence North 00° 13' 00" West, 116.29 feet;

17. thence South 89° 30' 00" West, 8.145 feet;

18. thence North 00° 13' 00" West, 117.00 feet, to a point on the section line common to said Sections 6 and 31;

19. thence along said section line common to Sections 6 and 31, South 89° 30' 00" West, 212.92 feet;

20. thence North 00° 28' 45" West, 259.03 feet;

21. thence North 89° 40' 00" East, 121.00 feet;

22. thence South 89° 23' 00" East, 319.43 feet, to the North-South quarter section line in said Section 31, and center line of 60.00 foot Harris Avenue;

23. thence along said North-South quarter section line in Section 31 and said center line of Harris Avenue, South 00° 13' 00" East, 252.46 feet, to the South quarter section corner in Section 31 and the North quarter section corner in said Section 6;

24. thence along the North-South quarter section line in Section 6 and the center line of Harris Avenue, South 00° 13' 00" East, 892.08 feet, to the point of beginning, containing 10.170 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on December 8, 19 81, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Bright, seconded by Councilmember Muratore, and adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: December 8, 1981

Norrine Coyle

City Clerk of the City of Modesto, California

(SEAL)

Beverly-Harris Annexation

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1076

A RESOLUTION VACATING AND ABANDONING A PORTION OF THE 30-FOOT PUBLIC ALLEY IN BLOCK 1405 WHICH EXTENDS SOUTH FROM SURREY AVENUE, EAST OF OAKDALE ROAD. (G. O. ENTERPRISES)

WHEREAS, the Council of the City of Modesto adopted Resolution No. 81-1004 on November 10, 1981, declaring its intention to vacate and abandon the westerly 10 feet of the 30-foot north-south public alley in Block 1405 which extends south from Surrey Avenue, east of Oakdale Road in the City of Modesto, and naming a time and place for a public hearing on said vacation and abandonment and providing notice thereof, and

WHEREAS, the portion of the 30-foot public alley in Block 1405 which extends south from Surrey Avenue, East of Oakdale Road in the City of Modesto to be vacated and abandoned is more particularly shown on that certain drawing entitled "Vacate and Abandon a Portion of the 30-foot alley in Block 1405 - LD 81-J", dated November 4, 1981, which is on file in the office of the City Clerk, and

WHEREAS, said Resolution No. 81-1004 was published in the Modesto Bee, the official newspaper of the City of Modesto, once each week for two (2) successive weeks prior to the public hearing, and

WHEREAS, the Director of Planning and Community Development of the City of Modesto has caused notices of said proposed vacation and abandonment to be posted conspicuously along the lines of the property proposed to be vacated and abandoned at least fourteen (14) days before the date of the public hearing in the manner specified by law, and

WHEREAS, a public hearing was held on Tuesday, December 8, 1981, at 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, at which time all persons interested in or objecting to the proposed vacation and abandonment were afforded the opportunity to appear, and

WHEREAS, all things and acts necessary to be done as required by Division 9, Part 3, Chapter 3, of the Streets & Highways Code of the State of California in order to vacate and abandon said property has been done and accomplished, and

WHEREAS, the Council finds and declares that the westerly 10 feet of the 30-foot north-south public alley in Block 1405 which extends south from Surrey Avenue, east of Oakdale Road in the City of Modesto is unnecessary for present or prospective vehicular traffic purposes, and that the vacation and abandonment thereof is in the public interest, subject to the condition hereinafter set forth, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby orders and declares the vacation and abandonment of the westerly 10 feet of the 30-foot north-south public alley in Block 1405 which extends south from Surrey Avenue, east of Oakdale Road in the City of Modesto, as shown on the drawing entitled "Vacate and Abandon a Portion of the 30-foot alley in Block 1405 - LD 81-J", on file in the office of the City Clerk, and more particularly described on Exhibit "A" which is attached hereto and made a part hereof as though set forth in full herein, said vacation and abandonment to be on the following condition:

> That the entire 10-foot wide strip of alley to be abandoned shall be retained as a public utility easement.

BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to the vacation and abandonment of the westerly 10 feet of the 30-foot north-south public alley in Block 1405 which extends south from Surrey Avenue, East of Oakdale Road in the City of Modesto, County of Stanislaus, State of California.

BE IT FURTHER RESOLVED that the City Clerk shall cause a certified copy of this resolution, attested under the seal of the City, to be recorded in the Office of the County Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

LD 81-J
Parcel 1405-1

VACATE AND ABANDON A PORTION OF THE
30-FOOT ALLEY IN BLOCK 1405

All that real property in the State of California, County of Stanislaus, City of Modesto, being a portion of the Southwest quarter of Section 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Northeastern corner of Block 1405 of the SCENIC VILLAGE UNIT NO. 1 Subdivision, as per map filed August 19, 1964 in Volume 20 of Maps, Page 82, Stanislaus County Records; thence along the Eastern line of said Block 1405 and its Southerly prolongation, said line being the Western line of a 30.00 foot North-South alley, South 00° 51' 45" East, 468.87 feet; thence North 89° 57' 15" East, 10.00 feet, to a point on a line which is parallel with and 10.00 feet, measured at right angles, Easterly from said Eastern line of Block 1405; thence along said parallel line, North 00° 51' 45" West, 468.88 feet, to a point on the Southern line of 60.00 foot Surrey Avenue; thence along said Southern line of Surrey Avenue, South 89° 53' 15" West, 10.00 feet, to the point of beginning.

RESERVING all of the above as a Public Utilities Easement.

Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1077

A RESOLUTION GRANTING THE APPEAL OF MICHAEL TEDESCO AND OVERRULING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT REVOKING A CONDITIONAL USE PERMIT IN THE H-1 ZONE FOR OPERATION OF THE MC HENRY STATION RESTAURANT.

WHEREAS, on March 27, 1977, by Resolution No. 703, the Board of Zoning Adjustment granted a conditional use permit in the H-1 Zone for construction of a retail commercial building on the west side of McHenry Avenue south of Leveland Lane immediately north of the Loeb's store, and

WHEREAS, Condition Number 11 of Resolution No. 703 specifies that all businesses within the development shall be open to the public only between the hours of 7 a.m. and 10 p.m. each day, 7 days a week, and

WHEREAS, on February 26, 1981 by Resolution No. 965, the Board of Zoning Adjustment denied an amendment to the Conditional Use Permit to allow McHenry Station Restaurant to remain open until 12:00 midnight on Fridays and Saturdays, and

WHEREAS, on April 14, 1981 by Resolution No. 81-278, the City Council denied an appeal from the February 26 decision of the Board of Zoning Adjustment, and

WHEREAS, on July 23, 1981 by Resolution No. 996, the Board of Zoning Adjustment again denied an amendment to the Conditional Use Permit to allow McHenry Station Restaurant to remain open until 12:00 midnight on Fridays and Saturdays, and

WHEREAS, on August 11, 1981 by Resolution No. 81-969, the City Council denied an appeal from the July 23 decision of the Board of Zoning Adjustment, and

WHEREAS, thereafter the office of Planning and Community Development received complaints that the McHenry Station Restaurant was not observing the 10:00 p.m. closing time, and

WHEREAS, monitoring of McHenry Station Restaurant by City staff after August 11, 1981 and discussions with the owner after the monitoring had begun indicated the business was frequently remaining open past 10:00 p.m. and intended to do so, and

WHEREAS, Section 10-2.2401 of the Modesto Municipal Code authorizes the Board of Zoning Adjustment to revoke or modify a Conditional Use Permit if it is being exercised contrary to the conditions of approval, and

WHEREAS, on September 24, 1981 by Resolution No. 1022, the Board of Zoning Adjustment set a hearing to consider revocation or modification of the Conditional Use Permit as it related to McHenry Station Restaurant, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on October 22, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, the Board of Zoning Adjustment by Resolution No. 1023 found and determined that McHenry Station Restaurant was remaining open past the 10:00 p.m. closing time in violation of the Conditional Use Permit and revoked that portion of the Conditional Use Permit granted by Resolution No. 703 permitting operation of McHenry Station Restaurant for failure to operate within the time limitations established, and

WHEREAS, by letter dated November 4, 1981, an appeal was filed with the City Council of the City of Modesto to the decision of the Board of Zoning Adjustment revoking that portion of the Conditional Use Permit permitting operation of the McHenry Station Restaurant for failure to operate within

the time limitations established, and

WHEREAS, said appeal was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California at 7:30 p.m. on December 8, 1981, and

WHEREAS, at said meeting said Council, after hearing evidence both oral and documentary, found and determined that the appeal of Michael Tedesco to the decision of the Board of Zoning Adjustment revoking a portion of a conditional use permit in the H-1 zone for operation of the McHenry Station Restaurant should be granted for the reasons hereinafter set forth, and that the decision of the Board of Zoning Adjustment should be overruled:

1. The owners of the McHenry Station have indicated in writing their intention to adhere to the H-1 use permit conditions.

2. Recent staff monitoring of the McHenry Station indicates that the owners are now adhering to the H-1 use permit conditions.

3. If future violations of the H-1 use permit conditions occur, revocation proceedings can be reinstated at that time.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by Michael Tedesco to the decision of the Board of Zoning Adjustment revoking a portion of a conditional use permit in the H-1 zone permitting operation of the McHenry Station Restaurant should be granted for the reasons set forth above, and that the decision of the Board of Zoning Adjustment should be overruled.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Acting Mayor Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1078

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 1135 E. ORANGEBURG AVENUE - ROBERT AND PHYLLIS AYRES AND WILLIAM AND LOUISE PARKER ($2,360.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on September 16, 19 80, adopt its Resolution No. 80-965, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, December 8, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $2,360.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $2,360.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcel "Remainder" of Parcel Map filed March 23, 1972 in Book 13 of Parcel Maps, Page 109, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 031-1020-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1079

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 1105 EAST FAIRMONT AVE. - MARGIE D. BRAZIL ($310.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner ----------, 19---, adopt its Resolution No. ----------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk ---------- on property abutting the property hereafter described; and

WHEREAS, December 8, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $310.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $310.00, be assessed in 7 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 13 in Block 1071 in Loconte Subdivision as per map filed Oct. 16, 1953 in Vol. 17 of Maps, Pg. 65, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 112-5009-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1080

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN-1411 SUNRISE AVENUE - RITA CANDLISH ($972.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19----, adopt its Resolution No. ---------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, December 8, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $972.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $972.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 60' of the South 160' of the West 135' of the East 165' of the Northeast ¼ of the Northwest ¼ of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

(Stan. Cty. Assessor's Parcel No. 002-01 031-0633-111)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1081

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 2901 SCENIC DRIVE - PATRICK W. CLARK ($810.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19----, adopt its Resolution No. ----------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, December 8, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $810.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $810.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Beginning at the S/E corner of Parcel 4 as shown on that certain parcel map filed 8/14/78 in Vol. 27 of Parcel Maps, Pg. 92, Stan. Cty. Records; thence S. 225.94'; thence in a Southwesterly direction along the N. line of Scenic Dr. a distance of 147.85'; thence continuing in a Southwesterly direction a distance of 47.23'; thence N. 267.46'; thence East 189.80' to the Point of Beginning. (Stan. Cty. Assessor's Parcel No. 002-04 067-2201-121)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1082

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 553 ESGAR AVE.-FLOYD E. EBBERS ($630.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19---, adopt its Resolution No. ---------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, December 8, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $630.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $630.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 14 in Block 1002 of Esgar Tract as per map filed March 31, 1941 in Vol. 14 of Maps, Pg. 14, Stanislaus County Records.

(Stan. Cty. Assessor's Parcel No. 002-01 3401-25-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1083

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 545 HUNTER AVE. - BENJAMIN F. FOX ($1,036.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19---, adopt its Resolution No. ---, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, December 8, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,036.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,036.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 in Bl. 1003 of Esgar Tract as per map filed 3/31/41 in Vol. 14 of Maps, Pg. 14, Stan. Cty. Records, excepting the West 10'.

(Stan. Cty. Assessor's Parcel No. 002-01 034-0135-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1084

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 930 E. FAIRMONT AVE.-WILLIAM E. HOLDEN($395.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19---, adopt its Resolution No. ---------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, December 8, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $395.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $395.00, be assessed in 7 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 14 in Bl. 635 of Ramona Park Tract as per map filed Aug. 25, 1950 in Vol. 17 of Maps, Pg. 10, Stan. Cty. Records and all that portion of Ramona Ave. abandoned by the City of Modesto by deed recorded 11/29/50, Instru. #27286.
(Stan. Cty. Assessor's Parcel No. 002-02 112-1513-111)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1085

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 548 CASTLE AVE.- JERI HINES AND WILLIAM J. HINES III ($1,260.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19---, adopt its Resolution No. ---, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, December 8, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,260.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,250.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 1 and 2 in Block 604 in the City of Modesto as per map filed 12/21/42 in Vol. 15 of Maps, Pg. 604, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 111-5501-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1086

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 906 E. FAIRMONT AVE.-GARY W. HOLMES ($370.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19---, adopt its Resolution No. ----------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, December 8, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $370.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $370.00, be assessed in 6 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 11 in Block 635 of Ramona Park Tract as per map filed 8/25/50 in Vol. 17 of Maps, Pg. 10, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-03 112-1510-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1087

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 1116 ALLEN DRIVE - HOUGH & HOUGH ($280.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner ----------;-19---, adopt its Resolution No. ----------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk ---------- on property abutting the property hereafter described; and

WHEREAS, December 8, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $280.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $280.00, be assessed in 5 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 5 in Bl. 1115 of El Vecino Gardens as per map filed May 8, 1951 in Vol. 17 of Maps, Pg. 21, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 031-2223-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1088

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 545 CASTLE AVE.-RICHARD T. HUMBERT ($1,260.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and waived by property owner

WHEREAS, the Council did, on ----------, 19---, adopt its Resolution No. ---------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, December 8, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,260.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,260.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 47 and 48 in Block 604 of the City of Modesto as per map filed 12/21/42 in Vol. 15 of Maps, Pg. 604, Stanislaus County Records.

(Stan. Cty. Assessor's Parcel No. 002-01 111-5524-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1089

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN -104-112 TRASK LN.-RAYMOND L. MADEROS ($8,311.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on May 6, 19 80, adopt its Resolution No. 80-441, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, December 8, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $8,311.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $8,311.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The E. 266.60' of the W. 1609.725' of the N. 358.375' of the S. 408.375' of Section 26, T. 3 S., R. 9 E., M.D.B.& M.

(Stan. Cty. Assessor's Parcel No. 002-01 003-3105-003)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1090

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN -2301 YOSEMITE BLVD.-NORMAN QUIGLEY ($3,601.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on May 6, 19 80, adopt its Resolution No. 80-441, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, December 8, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $3,601.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $3,601.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The E. 596.52 feet of the W. 1282.97 feet of the N. 188 feet of the S. 238 feet of Sec. 26, T. 3 S., R. 9 E., M.D.B. & M.

(Stan. Cty. Assessor's Parcel No. 002-01 003-3270-003)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1091

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN-1343-1347 MCHENRY AVE.-HOMER J. SERGIS ($2,160.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on February 23, 1976, adopt its Resolution No. 76-394, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, December 8, 1981, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $2,160.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $2,160.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The S. 105' of the N. 145' of the West 137' of the E. 183' of Lot 9 of Mensinger Tract No. 4, Bl. 6000-A, as per map filed 8/1/46 in Vol. 14 of Maps, Pg. 68, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 119-1803-590)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1092

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN -114 DRAKE AVE.-LEON R. SHARP ($910.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on July 28, 19 81, adopt its Resolution No. 81-650, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, December 8, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $910.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $910.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The W. 20' of Lot 29, all of Lots 30, 31 and the E. 11' of Lots 32 & 33 of the Quinn & Fugle Tract as per map filed 4/12/23 in Vol. 9 of Maps, Page 74, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 031-0331-590)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1093

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN- 545 RAMONA AVE.-CAROL A. SILVAS ($1,492.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and waived by property owner

WHEREAS, the Council did, on ----------, 19---, adopt its Resolution No, ---------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk ---------- on property abutting the property hereafter described; and

WHEREAS, December 8, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,492.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,492.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 48 in Bl. 605 of the City of Modesto as per map filed 12/21/42 in Vol. 15 of Maps, Pg. 605, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 111-5648-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December , 1981 , by Councilmember Elliott , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle

NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1094

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN -1501 ROSE AVE.-SAMUEL C. SMITH ($1,348.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and waived by property owner

WHEREAS, the Council did, on _____, 19____, adopt its Resolution No. _____, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk _____ on property abutting the property hereafter described; and

WHEREAS, December 8, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,348.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,348.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 2 in Bl. 1204 of Green Acres No. 2 as per map filed Oct. 25, 1955 in Vol. 18 of Maps, Pg. 38, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-42 032-0326-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1095

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN -2337 DORA STREET-DANETTA STRZALA ($1,124.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on May 6, 1980, adopt its Resolution No. 80-441, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb on property abutting the property hereafter described; and

WHEREAS, December 8, 1981, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,124.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,124.00, shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 20 of Bl. 2268 of Yosemite Villa as per map filed June 1, 1950 in Vol. 17 of Maps, Pg. 1, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 033-3220-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1096

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN- 1721 E. COOLIDGE AVE.-ELMER TEEL ($1,020.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19---, adopt its Resolution No. -------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, December 8, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,020.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,020.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

'Lot 1 in Bl. 1204 of Green Acres No. 2 as per map filed Oct. 25, 1955 in Vol. 18 of Maps, Pg. 38, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-42 32-0327-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1097

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN -902 E. FAIRMONT AVE.-RAYMOND J. TUNKEL ($310.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19---, adopt its Resolution No. ---, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, December 8, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $310.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $310.00, be assessed in 6 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 10 in Bl. 635 of Ramona Park Tract as per map filed Aug. 25, 1950 in Vol. 17 of Maps, Pg. 10, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-03 112-1509-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1098

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN -1125 ALLEN DRIVE - DIANNA TYLER ($610.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19, adopt its Resolution No. ---------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, December 8, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $610.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $610.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 7 in Bl. 1144 of El Vecino Gardens as per map filed May 8, 1951 in Vol. 17 of Maps, Pg. 21, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 031-2212-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1099

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 552 ESGAR AVE. - JOHN A. VIEIRA ($1,083.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19----, adopt its Resolution No. ---------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, December 8, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,083.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,083.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 12 in Bl. 1003 of Esgar Tract as per map filed 3/31/41 in Vol. 14 of Maps, Pg. 14, Stan. Cty. Records excepting the East 10'.

(Stan. Cty. Assessor's Parcel No. 002-01 034-0126-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December , 1981 , by Councilmember Elliott , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1100

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN-1010 LUCERN AVE. - AVETAR YADEGAR ($2,118.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on waived by property owner, 19---, adopt its Resolution No, ---------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, December 8, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $2,118.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $2,118.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 in Bl. 605 of the City of Modesto as per map filed 12/21/42 in Vol. 15 of Maps, Pg. 605, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 111-5601-431)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1101

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN -1432 MCHENRY AVENUE - JULIUS M. WARD ($460.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on July 28, 19 81, adopt its Resolution No. 81-650, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, December 8, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $460.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $460.00, be assessed in 9 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 32 and 33 of Quinn and Fugle Tract as per map filed 4/12/23 in Vol. 9 of Maps, Pg. 74, Stan. Cty. Records excepting the E. 11' thereof; also excepting that portion deeded to the State of Calif. by Deed recorded Feb. 11, 1959 by Instr. #4141.
(Stan. Cty. Assessor's Parcel No. 002-01 031-0319-420)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 19 81, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1102

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN -1321 MCHENRY AVE.-JACK R. WATSON ($2,533.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on February 23, 1976, adopt its Resolution No. 76-394, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described; and

WHEREAS, December 8, 1981, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $2,533.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $2,533.00, be assessed in 10 annual installments and shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The W. 137' of the E. 183' of the S. 160' of the N. 420' of Lot 9 of Mensinger Tract No. 4, Bl. 6000-A as per map filed Aug. 1, 1946 in Vol. 14 of Maps, Pg. 68, Stan. Cty. Records.

(Stan. Cty. Assessor's Parcel No. 002-01 119-1806-400)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%)per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Installment)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1103

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN -1208-1220 E. ORANGEBURG AVE.-PAUL M. ZAGARIS REALTY, INC. ($2,365.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Council did, on September 16, 19 80, adopt its Resolution No. 80-965, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements; and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described; and

WHEREAS, December 8, 19 81, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement; and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $2,365.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $2,365.00, shall constitute a special assessment against the parcel(s) of property fronting upon the work so constructed, and that a notice of lien for the amount thereof shall be recorded.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Beginning at the N/W corner of Lot 14 of Bl. 1144 of Denise Subd. as per map filed 2/9/61 in Vol. 19 of Maps, Pg. 56, Stan. Cty. Records; thence N. 146'; thence E. 204.35'; thence S. 146'; thence W. 204.35' to the true point of beginning. (Stan. Cty. Assessor's Parcel No.s 002-01 031-2429-101; 002-01 031-2413-101; 002-01 031-2414-101; 002-01 031-2416-101)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of seven(7%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(Regular)

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1104

A RESOLUTION ACCEPTING THE BID OF FMC-VAN PELT FOR FURNISHING ONE FIRE PUMPER TRUCK

WHEREAS, Resolution No.81-915, adopted by the Council of the City of Modesto on October 13, 1981, approved the plans and specifications for the purchase of one 1500 GPM fire pumper truck and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of one 1500 GPM fire pumper truck were opened at 2:00 p.m. on November 17, 1981, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of FMC-Van Pelt in the amount of $158,138.40 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of FMC-Van Pelt in the amount of $158,138.40 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1105

A RESOLUTION DECLARING A PUBLIC NECESSITY AND AUTHORIZING OLANDER & WILLIAMS AS THE ROOFING SUBCONTRACTOR ON THE INSTALLATION OF AIR VENTILATION SYSTEM AT THE DOWNTOWN GARAGE PROJECT

WHEREAS, the City of Modesto has contracted with Hansen's, Inc. for the installation of air ventilation system at the downtown garage; and

WHEREAS, the prime contractor overlooked the need for roof repair on this project and consequently failed to list a subcontractor for the work; and

WHEREAS, Hansen's Inc. does not do roofing work, and are requesting permission to use the services of Olander & Williams to perform the required roof patching and repair work.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the use of the services of Olander & Williams to perform the required roof patching and repair work.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1106

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN APPLICATION FOR FUNDS UNDER THE WELLS FARGO GAMEFIELD PROGRAM TO BE USED TOWARD THE PURCHASE OF AN OLYMPIC GAMEFIELD FITNESS COURSE TO BE INSTALLED AT DOWNEY COMMUNITY PARK

BE IT RESOLVED by the Council of the City of Modesto that the submission of an application for funds under the Wells Fargo Gamefield Program in the amount of $2,500 to be used toward the purchase of an Olympic Gamefield Fitness Course to be installed at Downey Community Park be, and hereby is, approved.

BE IT FURTHER RESOLVED that the execution of the application by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1107

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN APPLICATION FOR FUNDS UNDER THE WELLS FARGO GAMEFIELD PROGRAM TO BE USED TOWARD THE PURCHASE OF AN OLYMPIC GAMEFIELD FITNESS COURSE TO BE INSTALLED AT DAVIS COMMUNITY PARK

BE IT RESOLVED by the Council of the City of Modesto that the submission of an application for funds under the Wells Fargo Gamefield Program in the amount of $2,500 to be used toward the purchase of an Olympic Gamefield Fitness Course to be installed at Davis Community Park be, and hereby is, approved.

BE IT FURTHER RESOLVED that the execution of the application by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1108

A RESOLUTION ACCEPTING IMPROVEMENTS IN MT. VERNON PLAZA SUBDIVISION NO.1 AND AUTHORIZING RELEASE OF STANDBY LETTER OF CREDIT AND SUBDIVISION BOND

WHEREAS, Mt. Vernon Investment Group, subdividers of Mt. Vernon Plaza Subdivision No. 1, have filed standby letter of credit for faithful performance and a subdivision bond for labor and materials in the amount of $326,600.00 and $163,300.00 respectively to guarantee improvements in Mt. Vernon Plaza Subd.; and

WHEREAS, the Director of Public Works in a memorandum dated December 1, 1981, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the standby letter of credit upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Mt. Vernon Plaza Subdivision No. 1 are hereby accepted.
2. The City Clerk is hereby authorized to release the standby letter of credit for faithful performance in the amount of $326,600.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the subdivision bond for labor and materials in the amount of $163,300.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1981 by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1109

A RESOLUTION ACCEPTING IMPROVEMENTS IN THE VINEYARD NO. 1 SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, Bright Development , subdividers of The Vineyard No. 1 Subdivision , have filed Instruments of Credit for faithful performance and labor and materials in the amount of $324,100.00 and $ 162,050.00 respectively to guarantee improvements in The Vineyard No. 1 Subd. ; and

WHEREAS, the Director of Public Works in a memorandum dated December 1, 1981 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Instruments of Credit upon expiration of the statutory period,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in The Vineyard No. Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit for faithful performance in the amount of $324,100.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Instrument of Credit for labor and materials in the amount of $162,050.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December , 19 81 by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1110
AMENDED

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND HAWKE FLYING SERVICE, INC. TO REDUCE THEIR NUMBER OF TIE-DOWNS AT THE MODESTO CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto
amended
that the/agreement between the City of Modesto and Hawke Flying Service, Inc.

for a reduction in their number of tie-downs from 22 to 13

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th **day of** December, **19** 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1111

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING REQUEST FOR PROPOSALS FOR A MOTEL/RESTAURANT COMPLEX AT THE MODESTO CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The request for proposals for a motel/restaurant complex to be constructed at the Modesto City-County Airport copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 8, 1982, and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1112

A RESOLUTION RE-APPOINTING MEMBER OF THE BOARD OF GOVERNORS OF THE GREATER MODESTO COMMUNITY FOUNDATION (LEE HAMPSON)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby re-appointed to the Board of Governors of the Greater Modesto Community Foundation for the respective term as indicated:

Lee Hampson
1412 Morada Drive
Modesto, California
Term to expire December 31, 1986

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly re-appointed member of the Board of Governors of the Greater Modesto Community Foundation and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1113
AMENDED

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND ALLEN R. AND CAROLYN M. GRANT, CONCERNING FORMATION OF A JOINT VENTURE TO CONSTRUCT A COMMUNITY CENTER

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Allen R. and Carolyn M. Grant, concerning formation of a joint venture to construct a community center

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th **day of** December, **19** 82, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Muratore, Patterson, Acting Mayor Lang
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Siefkin, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1114

A RESOLUTION ADOPTING THE PUBLIC PROJECTS COMMITTEE'S EIGHTH ANNUAL URBAN GROWTH POLICY REVIEW RECOMMENDATIONS.

WHEREAS, the Council's Public Projects Committee has conducted its eighth annual Urban Growth Policy Review, and

WHEREAS, the Public Projects Committee has made a report and recommendations to the Council as a result of its review, and

WHEREAS, the Council has held an informal public hearing to consider the Public Projects Committee's report and recommendations, and

WHEREAS, the Council has determined that the Public Projects Committee's report and recommendations should be adopted,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby adopt the Public Projects Committee's Eighth Annual Urban Growth Policy Review Recommendation dated December 1, 1981, a copy of which is attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1981, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CITY OF MODESTO

M E M O R A N D U M

Date: December 1, 1981

TO: Mayor & Members of the City Council

FROM: Public Projects Committee

SUBJECT: Eighth Annual Urban Growth Policy Review Recommendation

The Public Projects Committee has held 4 open public meetings to study the 1981 Growth Policy Report as prepared by the Planning and Community Development Department staff. A set of meeting notes and correspondence from these meetings is attached to this memorandum.

As a result of this Fall's review, the Public Projects Committee makes the following recommendations:

1. That the Council acknowledge receipt of the "Urban Growth Policy Review: 1981".

2. That an industrial development policy study be made and considered by the Public Projects Committee in the upcoming year.

3. That a priority list of areas which need a General Plan amendment but no advisory vote (College West, Fairview and West Trunk) be postponed until an industrial development policy is completed. Also, General Plan amendment EIR's on these areas and a consideration of the College West Neighborhood for light industry be postponed until completion of the industrial development policy.

4. That the priorities for trunk extension be as follows:

    a. Lakewood Trunk, Briggsmore to Floyd
    b. Yosemite Trunk, Lincoln to Claus
    c. Yosemite Trunk, Claus to Frazine
    d. Claratina area
    e. Sonoma Trunk, Floyd to Sylvan
    f. Lakewood Trunk, Floyd to Sylvan
    g. Sonoma Trunk, Sylvan to Claribel
    h. Lakewood Trunk, Sylvan to Claribel
    i. Extensions of the North Trunk

5. That consideration of a trunk extension for submission to the electorate for an advisory vote be postponed until the 1982 Urban Growth Review.

6. That the City Council not order the extension of the Lakewood Trunk at this time. Extension of the Lakewood Trunk may be considered after another advisory vote is held.

Sue Siefkin

Sue Siefkin, Chairperson

Robert Elliott

Robert Elliott

Tom Bright

Tom Bright

Attachments

cc: Organizations and Individuals attending PPC Growth hearings, including interested developers, schools, utilities, League of Women Voters, Chamber of Commerce, BIA

City Manager
City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1115

A RESOLUTION APPROVING A REVISED SITE PLAN FOR THE SERVICE AND BUS YARD EXPANSION.

WHEREAS, a staff Task Force has studied the future needs and functions of the City's service and bus yard facilities, and

WHEREAS, the Task Force has recommended to the City Council a revised site plan for said facilities, and

WHEREAS, the Council has held an informal public hearing to consider the Task Force report and recommendations, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee, which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Council hereby approves the report "Revised Service and Bus Yard Expansion Plans (Task Force Report No. 4)", and the site plan and recommendations contained therein.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1981, by Councilmember Lang, who moved its adoption, which motion being

duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

M E M O R A N D U M

Date: May 4, 1981

TO: City Manager

FROM: Corporation Yard Task Force

SUBJECT: Revised Service and Bus Yard Expansion Plans (Task Force Report No.4)

As you requested, we have reviewed possible rearrangement of the two yards with a goal of reducing City costs. A copy of the Property Agent's memo suggesting this review is attached.

After our plan was accepted, the City owned old corporation yard property at 8th and L Streets was traded for half of Block 437. Block 437 is in the bus yard area on our earlier plan. Because of the trade, federal funds for purchase of that half of Block 437 cannot be obtained. Moving the bus yard into an area not presently owned by the City thus becomes more attractive to maximize federal participation.

Attached is a revised ultimate plan which accommodates the same functions as our earlier plan. Phasing is not shown because most of the property that would be needed for service yard expansion is already under City ownership. The new plan contains these changes:

1. The bus yard has been moved to front on Washington, and due to a more useable rectangular shape, requires less acreage. This reduced acreage requirement means that the remaining area along 8th Street not owned by the City (location of G & W), is no longer needed.

2. Service yard expansion is now shown to the north towards 8th Street rather than to the east toward Washington.

3. We roughly estimate that this switch will reduce City land acquisition and relocation costs $1 million.

Advantages of Revised Plan

a. The functional shape of both the service and bus yards is improved.

b. Local costs for service yard land/relocation are substantially less.

c. Less business dislocation

d. Possibility of expansion beyond the "ultimate" plan size

Disadvantages of Revised Plan

a. Local costs for bus yard land/relocation are higher (although the reduction in local service yard costs is much greater for a total net savings).

b. Immediate purchase of the residential blocks. The owners of these houses have already been assured by City staff that expansion into this area would be incremental and that most of them would not be affected for many years. Because of federal rules, all the houses would be purchased right away for the bus yard.

Summary

The Task Force feels the revised plan is superior functionally and financially, its main drawback being impact on residents along Elm and Laurel.

Recommendation

The Task Force recommends that the Council hold an informal public hearing to consider adopting the revised plan. All property owners and tenants in the area would be notified of the hearing. If the Council then wishes to adopt a revised plan, it would direct the staff to proceed with budgeting for purchase of the remaining service yard property and preparation of the application to the federal government for bus yard funding.

Finally, there are now two houses for sale in what would be the bus yard area - one on Elm and one on Laurel. We recommend that if the revised plan is adopted that the City not attempt to acquire them prior to bus yard funding, for immediate local costs would be increased well beyond any inflation in the price of the units in the future.

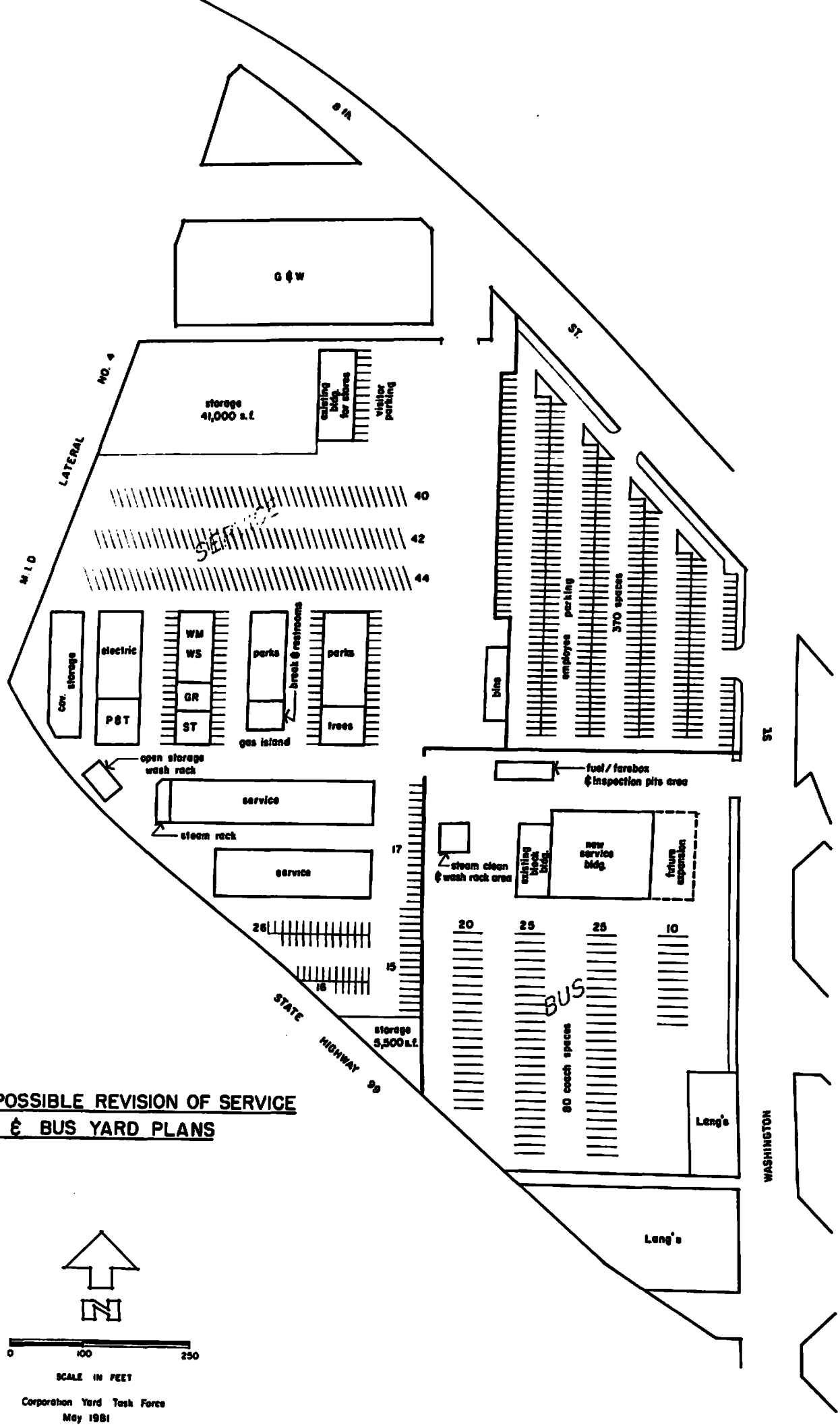
Jerry Butler, Assoc. Civil Engineer

Ken Cruce, Administrative Assistant
Parking & Traffic

Michael Herrero, Senior Planner

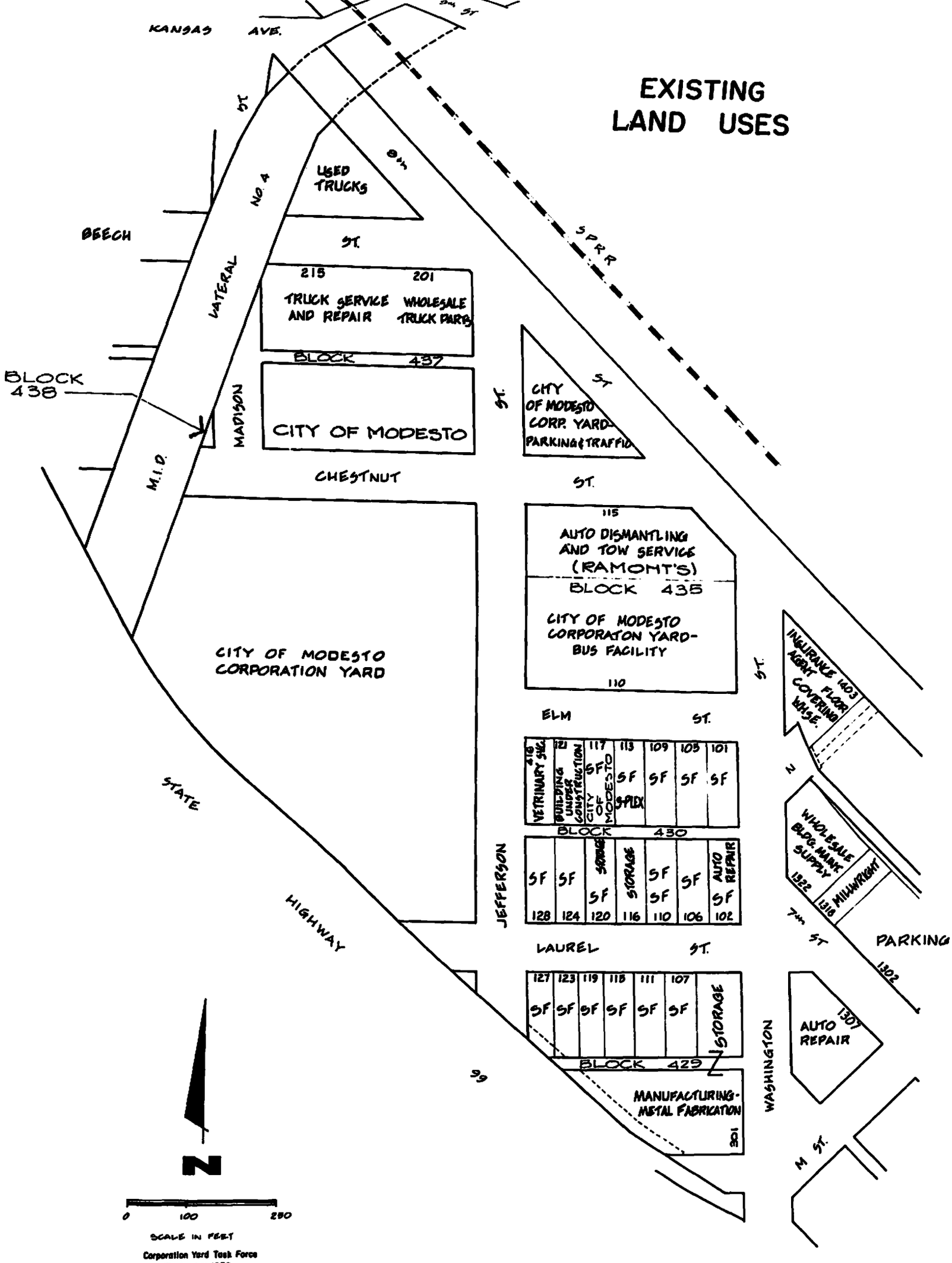
John Yoshida, Ass't. Dir. of Parks
and Recreation

MCH:mjh



POSSIBLE REVISION OF SERVICE & BUS YARD PLANS

Corporation Yard Task Force
May 1981


EXISTING
LAND USES
KANSAS AVE.
USED TRUCKS
BEECH ST.
NO. 4 LATERAL
SPRR
215
201
TRUCK SERVICE AND REPAIR
WHOLESALE TRUCK PARTS
BLOCK 437
BLOCK 438
MADISON ST.
CITY OF MODESTO
CITY OF MODESTO CORP. YARD- PARKING & TRAFFIC
M.I.D.
CHESTNUT ST.
115
AUTO DISMANTLING AND TOW SERVICE (RAMONT'S)
BLOCK 435
CITY OF MODESTO CORPORATION YARD- BUS FACILITY
110
CITY OF MODESTO CORPORATION YARD
ELM ST.
INSURANCE AGENT COVERING WHSE.
1403 FLOOR
VETRINARY SVC.
416
121
BUILDING UNDER CONSTRUCTION
117
113
109
105
101
SF
SF
SF
SF
SF
CITY OF MODESTO
SPLEX
BLOCK 430
WHOLESALE BLDG. MAINT. SUPPLY
1322
MILLWRIGHT
1318
STATE HIGHWAY
JEFFERSON ST.
SF
SF
SF
SF
SF
SF
SF
STORAGE
STORAGE
AUTO REPAIR
128
124
120
116
110
106
102
LAUREL ST.
7TH ST.
PARKING
1302
127
123
119
115
111
107
SF
SF
SF
SF
SF
SF
STORAGE
BLOCK 429
1307
AUTO REPAIR
WASHINGTON
99
MANUFACTURING- METAL FABRICATION
301
M ST.
N
0
100
200
SCALE IN FEET
Corporation Yard Task Force
September 1979

ESTIMATE OF CITY LAND AND RELOCATION COSTS FOR SERVICE AND BUS YARDS

CURRENT PLAN

Bus Yard	Portion block 435 (Ramont's)	$ 33,000
	No. half block 437 Block 440 Portion block 438	107,800 *
Service Yard	Portions block 429 and 430	$ 1,303,500
		$ 1,444,300

REVISED PLAN

Bus Yard	Portions block 429 and 430	$ 260,700 *
Service Yard	Portion block 435 (Ramont's)	165,000
	Portion block 438	3,000
		$ 428,700

* Assumes 80% federal, 20% City cost split. Figures shown are City share only.

Ken Cruce
John Yoshida
Mike Herrero
Jerry Butler

March 4, 1981

Property Agent

Service Yard Expansion

The Council just approved a trade of properties by which the City will acquire the property shown in yellow on the attached map.

As you are aware, this area was planned for our Bus Yard which was to be acquired with Federal money. I think the acquisition of this property using our own money and the recent decision by UMTA that the City of Modesto must redo its Bus Yard Expansion grant application in its entirety, suggests we should review our situation at this time.

More specifically, I think it would be to the City's advantage to acquire a bus yard in a configuration that would yield the highest percentage of Federal money. In other words, if we keep our present configuration, Larry Shankland has indicated that the property we have just acquired using our own money could not be considered as our contribution toward the Federal grant. This means we would be receiving less Federal money.

Perhaps it would be more advantageous for the City for other reasons to acquire Blocks 429 and 430 using Federal money and the remainder of Block 437 and Block 440 using our own money.

Therefore I recommend that your Task Force Committee look at the above possibility.

William D. Harper

WDH:cd

Attachment - Map

cc: City Attorney
City Manager
Director of Public Works
Parking & Traffic - Attn: Larry Shankland

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1116

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, FOR A CAPITAL ASSISTANCE GRANT UNDER SECTION 3 OF THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED.

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation projects, and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs, and

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder, and

WHEREAS, it is the goal of the Applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. That the City Manager of the City of Modesto is authorized to execute and file an application on behalf of the City of Modesto with the U.S. Department of Transportation, to aid in the financing of a new bus maintenance/administration facility and expanded bus storage yard, pursuant to Section 3 of the Urban Mass Transportation Act of 1964, as amended.

2. That the City Manager of the City of Modesto is authorized to execute and file with such application an assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

3. That Douglas J. Carmody, Director of Parking and Traffic, is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the application or the project.

4. That the City Manager of the City of Modesto is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.

5. That the City Manager of the City of Modesto is authorized to execute grant contract agreements on behalf of the City of Modesto with the U.S. Department of Transportation for aid in the financing of the new bus maintenance/administration facility and expanded bus storage yard.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried

and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1117

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO THE ZONING REGULATIONS OF THE MODESTO MUNICIPAL CODE RELATING TO SIGN REGULATIONS.

WHEREAS, on December 15, 19 81, the City Council introduced Ordinance No. 2102-C.S. giving approval to a project relating to an ordinance amending Sections 10-2.3502, 10-2.3503 and 10-2.3511 of Article 35 of Chapter 2 of Title X of the Modesto Municipal Code, and adding Section 10-2.3512 thereto relating to sign regulations, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an ordinance amending Sections 10-2.3502, 10-2.3503 and 10-2.3511 of Article 35 of Chapter 2 of Title X of the Modesto Municipal Code, and adding Section 10-2.3512 thereto relating to sign regulations.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1118

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN ORDINANCE AMENDING SECTION MAP 28-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (CHALET MOTEL)

WHEREAS, on December 15, 1981, the City Council introduced Ordinance No. 2103-C.S. giving approval to a project relating to an amendment to Section Map 28-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium-High Density Residential Zone, R-3, to General Commercial Zone, C-2, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 28-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium-High Density Residential Zone, R-3, to General Commercial Zone, C-2.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 19 81, by Councilmember Patterson, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1119

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (321).

WHEREAS, a verified application for an amendment to Section 30-3-9 of the Zoning Map was filed by Lyons Brothers on October 2, 1981, to reclassify from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in a portion of Lot 7 of the Maze Ranch Subdivision, as shown on the map filed in Volume 4 of Maps, at Page 18, lying in the Southwest Quarter of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California, more particularly described as follows:

Commencing at the Southeast corner of "Elmwood Estates No. 1" as shown on the map filed in Book 21 of Maps, at Page 24, Stanislaus County Records, said corner lying on the North right-of-way line of Elm Avenue; thence North 0°30'00" West along the East line of said "Elmwood Estates No. 1", 200.00 feet to the POINT OF BEGINNING of this description; thence continuing North 0°30'00" West along said East line of "Elmwood Estates No. I", 272.99 feet to a point on the South right-of-way line of the future State Highway 132; thence Easterly along said South right-of-way line the following (2) courses; 1) South 87°01'00" East, 278.34 feet; 2) thence South 89°30'00" East, 267.02 feet to a point on the West right-of-way line of original 40 foot wide Emerald Avenue; thence South 0°31'30" East along said West right-of-way line of Emerald Avenue, 95.00 feet; thence North 89°46'00" West, 113.00 feet; thence South 0°30'00" East, 240.48 feet to a point on the South line of Parcel 2, as shown on the map filed in Volume 21 of Parcel Maps, Page 56, Stanislaus County Records; thence North 89°46'00" West along said South line of Parcel 2, a distance of 90.00 feet to the Southwest corner of said Parcel 2; thence South 0°30'00" East, 125.89 feet to a point on the North right-of-way line of Elm Avenue; thence North 89°46'00" West along said North right-of-way line of Elm Avenue, 70.67 feet; thence North 0°30'00" West, 200.00 feet; thence North 89°46'00" West, 271.00 feet to the Point of Beginning of this Description.

Including also all of the Northerly one-half of Elm Avenue and the Westerly one-half of Emerald Avenue immediately adjacent to the above described property.

WHEREAS, after public hearing held on November 16, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D development provides housing infill at a density which conforms to the limitations of the General Plan.

2. The various design features of the one-story project, including circulating access, ample parking, private patios, privacy walls, and screen landscaping, together comprise a good proposal fitting nicely into this neighborhood.

WHEREAS, after a public hearing held on December 15, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Lyons Brothers for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2104 -C.S. on the 15th day of December, 1981, reclassifying the above-described property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D (321).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(321) is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan (and floor plans) titled "Ken Wolf AIA & Associates" as amended in red, stamped approved by the Planning Commission on November 16, 1981.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Director of Parks and Recreation in accordance with Section 10-2.1515 of the Modesto Municipal Code. Screen landscaping shall be installed along the north property line.

3. Fencing shall be constructed prior to occupancy and shall be as follows:

   a. 6 foot board fence with decorative masonry pilasters around periphery except for public street frontages and patio walls as following.

   b. 7 foot solid wall or fence around all patios and along south property line between patio walls at dead-end aisle way.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. All private streets and parking areas shall be constructed in accordance with the standard structural section for residential streets as contained in the City of Modesto Standard Specifications.

6. Drainage shall be provided as required by the Director of Public Works.

7. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

8. Trash bins shall be kept in enclosures in accordance with the approved plan, and shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

9. All utilities shall be underground and cable television service shall be stubbed into all units.

10. All signs shall comply with the sign requirements of the R-1 Zone.

11. Prior to the issuance of a building permit for any structure, a subdivision map shall be recorded.

12. All curbcuts serving two-way driveways shall be widened to 35 feet in width.

13. The applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. Hydrants shall be installed and operable prior to construction of any structures.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (321):

Phase I, the east half, to start on or before October 1, 1983 and be completed by October 1, 1985.

Phase II, to start on or before October 1, 1985 and be completed by October 1, 1987.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (321) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Elliott, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Burke
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1120

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN ORDINANCE AMENDING SECTION MAP 30-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (LYONS BROTHERS)

WHEREAS, on December 15, 1981, the City Council introduced Ordinance No. 2104-C.S. giving approval to a project relating to an amendment to Section Map 30-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D (321), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 30-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D (321).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Elliott, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1121

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING TWO TRACTOR MOWERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of two tractor mowers

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on January 12, 1982, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1122

A RESOLUTION ACCEPTING THE BID OF EGAN AND PARADISO FOR THE CONSTRUCTION OF A DIESEL FUELING FACILITY AT THE CITY SERVICE YARD

WHEREAS, Resolution No. 81-977, adopted by the Council of the City of Modesto on November 3, 1981, approved the plans and specifications for the construction of a diesel fueling facility at the City Service Yard and authorized the calling for bids; and

WHEREAS, the bids received for the construction of a diesel fueling facility at the City Service Yard were opened at 11:00 a.m. on December 1, 1981, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Egan and Paradiso in the amount of $71,752.50 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Egan and Paradiso in the amount of $71,752.50 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1123

A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE 9TH STREET ATTENDANT PARKING LOT IMPROVEMENTS AS COMPLETE

WHEREAS, a report has been filed by the Director of Parking & Traffic that the construction of the 9th Street attendant parking lot improvements has been completed by Lee White Paving, Co.,

in accordance with the contract agreement dated August 4, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of the 9th Street attendant parking lot improvements be accepted from said contractor, Lee White Paving, Co.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $36,500 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1124

A RESOLUTION ACCEPTING THE CONSTRUCTION OF IMPROVEMENTS OF SCENIC DRIVE AT WYCLIFFE DRIVE

WHEREAS, a report has been filed by the Director of Public Works that the construction of improvements of Scenic Drive at Wycliffe Drive has been completed by The Flintkote Company

in accordance with the contract agreement dated October 6, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of improvements of Scenic Drive at Wycliffe Drive be accepted from said contractor, The Flintkote Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $11,851.84 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1125

A RESOLUTION GRANTING CERTAIN REIMBURSEMENTS OF COSTS TO MODESTO DISPOSAL SERVICE, GILTON SOLID WASTE MANAGEMENT, INC., AND ORANGE LINE SANITATION COMPANY IN RETURN FOR THE PROVISION OF RESIDENTIAL CURBSIDE RECYCLING.

WHEREAS, Ecology Action Educational Institute, Inc. has heretofore operated a residential curbside recycling program for the recycling of glass, cans, paper and corrugated paper, and

WHEREAS, Ecology Action Educational Institute, Inc. has determined that it is financially unable to continue said program and Modesto Disposal Service, Gilton Solid Waste Management, Inc., and Orange Line Sanitation Company have expressed their willingness to provide such residential recycling provided that certain costs of doing so are reimbursed, and

WHEREAS, Modesto Disposal Service, Gilton Solid Waste Management, Inc., and Orange Line Sanitation Company have previously each been granted by the City of Modesto a license to collect salvageable waste, which license authorizes the operation of a residential curbside recycling program, and

WHEREAS, the City Council desires to reimburse Modesto Disposal Service, Gilton Solid Waste Management, Inc., and Orange Line Sanitation Company for such costs in return for their agreement to provide such residential curbside recycling services,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. Effective January 1, 1982, Modesto Disposal Service, Gilton Solid Waste Management, Inc., and Orange Line Sanitation Company ("the companies") each agree to provide residential curbside recycling pickup service of cans, glass,

paper and corrugated paper in the City of Modesto. Each of the companies shall provide such service in the area for which the particular company currently holds a franchise from the City of Modesto for the collection of garbage.

2. The companies agree to provide for weekly pickup of recyclables.

3. The companies agree to work cooperatively with each other and with the City of Modesto in promoting and executing the program, and further agree to conduct a concerted advertising and promotional effort upon initiating the program. The companies further agree to continue to promote the program in good faith during the life of the program.

4. From January 1, 1982 until June 30, 1982, the City of Modesto will pay a maximum of $5,000 per month, to be divided between the companies in proportion to the total number of residential garbage customers served by each company to the total number of residential garbage customers in the City of Modesto. Such payments shall be made in arrears by the City of Modesto and shall be in amounts determined by the Director of Public Works. The companies agree to provide all financial and other information requested by the Director of Public Works to enable him to determine and approve the operating revenues and expenditures of the companies.

5. The amount paid to the companies each month shall be the lesser of the following:

(a) The companies' proportionate share of $5,000.00, or

(b) The difference between operating revenues and expenditures for the month as shown on the approved financial statements of the companies.

6. The companies shall each, during the life of this program, maintain in full force and effect, a policy of public liability insurance in accordance with the requirements of section 5-5.28 of the Modesto Municipal Code.

7. The companies agree to provide the City of Modesto 90 days written notice prior to terminating their participation in this program, provided that such a termination shall not be effective prior to December 31, 1982.

BE IT FURTHER RESOLVED that the City Clerk is directed to provide a copy of this resolution to Modesto Disposal Service, Gilton Solid Waste Management, Inc., and Orange Line Sanitation Company, and that this resolution shall confer no rights and be of no effect unless and until each company shall deposit with the City Clerk a certificate of insurance evidencing the insurance policies required hereby, and a letter accepting the terms of this resolution. Provided, however, that any certificate of insurance currently on file in conjunction with a license to collect garbage or salvageable waste shall be deemed adequate to satisfy the requirements of this resolution relating to insurance.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Patterson, Mayor Mensinger

NOES: Councilmembers: Muratore, Lang

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1126

A RESOLUTION ESTABLISHING CHARGES AND FEES FOR ACTIVITIES AND SERVICES AT THE MODESTO CITY-COUNTY AIRPORT/HARRY SHAM FIELD, AND RESCINDING RESOLUTION NO. 80-719.

WHEREAS, Section 7-3.401 of the Modesto Municipal Code authorizes the Council, by resolution, to establish charges and fees for activities and services at the Modesto City-County Airport/Harry Sham Field,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. HANGARS. Rental charges for the rental of hangars at the Modesto City-County Airport/Harry Sham Field are hereby established as follows, payable in advance:

(a) T-Hangars:

Hangar No. A	$61.00 per unit per month.
Hangar No. B	$63.00 per unit per month.
Hangar No. C	$63.00 per unit per month.
Hangar No. D	$63.00 per unit per month.
Hangar No. E	$69.00 per unit per month.
Hangar No. F	$69.00 per unit per month.
Hangar No. G	$81.00 per unit per month.
Hangar No. H	$81.00 per unit per month.
Hangar No. J	$88.00 per unit per month.

A five (5%) percent discount will be made in any of the above rental charges when a year's lease is entered into and the year's rental charges are paid in advance.

wpc

(b) Storage Hangars:

Hangar No. 1 . . . . . $524.00 per month.

Hangar No. 2 . . . . . $261.00 per month.

Hangar No. 3 . . . . . $271.00 per month.

Hangar No. 4 . . . . . $320.00 per month.

Hangar No. 5 . . . . . $407.00 per month.

Hangar No. 6 . . . . . $246.00 per month.

SECTION 2. TIE-DOWN FEES. Tie-down charges and fees at the Modesto City-County Airport/Harry Sham Field are hereby established as follows, payable in advance:

(a) Tail-in Tie-Down - Permanent, light single engine (under 12,500 lbs) $23.00 per month.

(b) Tail-in Tie-Down - Permanent, light multi-engine (under 12,500 lbs) $34.00 per month.

(c) Taxi-in Tie-Down - Permanent, light single and multi-engine aircraft (under 12,500 lbs) $46.00 per month.

(d) Taxi-in Tie-Down - Permanent, large multi-engine (over 12,500 lbs) $51.00 per month except large four-engine.

(e) Taxi-in Tie-Down - Permanent, large four-engine aircraft (over 12,500 lbs) $68.00 per month.

(f) Taxi-in Tie-Down - Transient, light single-engine aircraft (under 12,500 lbs) $2.00 per day.

(g) Taxi-in Tie-Down - Transient, light multi-engine aircraft (under 12,500 lbs) $4.00 per day.

(h) Taxi-in Tie-Down - Transient, large multi-engine aircraft (over 12,500 lbs) $6.00 per day.

(i) Taxi-in Tie-Down - Transient, large four-engine aircraft (over 12,500 lbs) $8.00 per day.

A five (5%) percent discount will be made in the rental charges set forth in subparagraphs (a), (b), (c), and (d) above when a year's lease is entered into and the year's rental charges are paid in advance.

Overnight tie-downs of aircraft belonging to or in the custody or possession of lessee shall be subject to the normal tie-down charge as specified by this section.

SECTION 3. OFFICE SPACE. The charge for office space at the Modesto City-County Airport/Harry Sham Field is hereby established as follows:

(a) Office Building No. 1 . . . . . $424.00 per month.

(b) Office Building No. 2, Suite A . . . . . $220.00 per month.

(c) Office Building No. 2, Suite B . . . . . $109.00 per month.

SECTION 4. NONSCHEDULED TRANSIENT AIRCRAFT CARRYING PASSENGERS AND/OR CARGO FOR HIRE. Aircraft landing at the Modesto City-County Airport/Harry Sham Field shall pay a landing fee as follows:

(a) All light single and multi-engine aircraft, $5.00 per landing.

(b) All large single and multi-engine aircraft, $.30 per 1,000 pounds gross weight, but not less than $5.00 per landing.

(c) All other aircraft not based at the Modesto City-County Airport/Harry Sham Field, owned and operated by individuals, companies and corporations carrying their own products shall not be charged for the first two (2) trips per calendar month; all other trips for the same calendar month shall be charged for at the same rates applied to non-scheduled aircraft carrying cargo for hire.

(d) No landing fee shall be charged for any aircraft which lands at the airport due to any mechanical or other emergency, except weather, provided that such emergency is reported to the Airport Control Tower prior to landing.

SECTION 5. PERMANENTLY BASED COMMERCIAL SERVICES. Any person engaging in a commercial enterprise permanently based at the Modesto City-County Airport/Harry Sham Field shall pay to the City the sum of Two Hundred Twenty and no/100ths ($220.00)

Dollars per year, payable in advance, for the privilege of engaging in business in the City of Modesto and on the Airport. Said sum shall be payable on a fiscal year basis.

If said business is commenced after the beginning of the fiscal year, the fee provided above shall be prorated as of the date of commencement of said business.

SECTION 6. FUEL FLOWAGE FEES. A fuel flowage fee of five cents (.05¢) per gallon of fuel sold on the Airport shall be paid to the City of Modesto by the fuel vendor.

SECTION 7. TEMPORARILY BASED COMMERCIAL SERVICES. Any person engaging in a commercial enterprise, temporarily based at the Modesto City-County Airport/ Harry Sham Field, shall pay to the City a license fee in the sum of Two Hundred and no/100ths ($200.00) Dollars, payable in advance.

Each such operator shall also pay to the City an additional sum of Ninety and no/100ths ($90.00) Dollars per month, or any portion thereof, payable in advance, for the privilege of using the Airport and its facilities.

SECTION 8. MOTOR VEHICLE STORAGE CHARGES. Any person who parks a motor vehicle at the Modesto City-County Airport/Harry Sham Field for longer than thirty (30) days at a time shall pay to the City a parking fee of Twenty-five and no/100ths ($25.00) Dollars per month, payable in advance.

SECTION 9. PENALTIES. A five (5%) percent penalty charge shall be made on any of the charges and fees established by this resolution when such charges and fees are not paid within thirty (30) days after they are due and payable.

SECTION 10. EFFECTIVE DATE. This resolution shall go into effect and be in full force and operation on and after January 1, 1982.

SECTION 11. REPEALS. Resolution No. 80-719 adopted July 15, 1980, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1127

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LYONS INVESTMENTS FOR THE ACQUISITION OF 0.11± ACRES OF THEIR PROPERTY NEEDED FOR THE PARADISE/ELLEN TO CARPENTER PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Lyons Investments

for the acquisition of 0.11± acres of their property needed for the Paradise/Ellen to Carpenter project

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** December, **19**81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1128

A RESOLUTION ESTABLISHING FEES AND CHARGES FOR COPIES OF VARIOUS MAPS AND PRINTS OBTAINED FROM THE CITY OF MODESTO.

WHEREAS, upon request, copies of various maps and prints are made available to the public by various departments of the City, and

WHEREAS, the Council has periodically established fees and charges for obtaining said maps and prints, and

WHEREAS, the Council has determined that some of said fees and charges need to be restated,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The fees and charges set forth on Exhibit "A", which is attached hereto and made a part hereof as if set forth herein, are hereby established for copies of various maps and prints listed thereon which are obtained from the City of Modesto.

SECTION 2. No fees or charges shall be charged to governmental agencies which obtain copies of maps and prints.

SECTION 3. This resolution shall become effective on and after January 4, 1982.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1981, by Councilmember Lang, who moved its adoption, which motion being duly

seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

FEES AND CHARGES
FOR COPIES OF VARIOUS MAPS AND PRINTS
OBTAINED FROM THE CITY OF MODESTO

PRINTING FEES

Printing fees per sheet plus sales tax for copies of tentative and final subdivision maps and parcel maps.

	Rates
A. Mylar	$5.10
B. Sepia	1.50
C. Blue-line	.26

Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1129

A RESOLUTION ESTABLISHING FEES AND CHARGES FOR DOCUMENTS, MAPS, PRINTS, TRANSCRIPTS, ETC. OBTAINED FROM THE CITY OF MODESTO.

WHEREAS, upon request, documents, maps, prints, transcripts, etc. are made available to the public by various departments of the City, and

WHEREAS, the Council has periodically established fees and charges for obtaining said documents, maps, prints, transcripts, etc., and

WHEREAS, the Council has determined that some of said fees and charges need to be restated,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The fees and charges set forth on Exhibit "A", which is attached hereto and made a part hereof as if set forth herein, are hereby established for the documents, maps, prints, transcripts, etc. listed thereon, and which are obtained from the City of Modesto.

SECTION 2. No fees or charges shall be charged to governmental agencies which obtain documents, maps, prints, transcripts, etc.

SECTION 3. Resolution Nos. 80-590 and 81-998 are rescinded effective January 4, 1982.

SECTION 4. This resolution shall become effective on and after January 4, 1982.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1981, by Councilmember Lang, who moved its adoption, which motion

being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

TITLE/Description	FEE/Unit
A. CITY CLERK	
1. MODESTO MUNICIPAL CODE*	
a. Municipal Code (without binder)	$75.00/ea
b. Municipal Code binder	8.80/ea
c. Continuing Code service, per year	67.80/yr
d. Individual Subjects/Titles/Articles:	
1. Business, Professions & Trades	2.90/ea
2. C.A.T.V.	2.15/ea
3. Charter	2.90/ea
4. Health	2.40/ea
5. Planning & Zoning	12.80/ea
6. Public Utilities	3.90/ea
7. Public Works	2.90/ea
8. Sales, Use & Admissions Tax	3.70/ea
9. Sign Regulations	2.90/ea
10. Subdivision of Land	3.40/ea
e. Individual Code pages (The City Clerk is authorized to not charge persons requesting a small number of individual code pages.)	.35
2. BASE MAP/ZONING MAP*	6.65/map
3. CITY COUNCIL AGENDAS OR MINUTES	28.30/ea/yr
4. REQUEST TO CONTINUE PUBLIC HEARINGS CONCERNING REZONING, PREZONING, CONDITIONAL USE PERMIT, UNCLASSIFIED USE PERMIT OR VARIANCE.	15.00
B. GENERAL REPRODUCTION	
1. COPIES OF ANY OFFICIAL CITY DOCUMENTS (other than maps or plates)	
a. First copy	.25/page
b. Additional copies (F.P.P.C. regulation sets 10¢ each for copies of Economic Interest and campaign statements.)	.10/page

EXHIBIT "A"

TITLE/Description	FEE/Unit
2. PRINTS MADE BY ITEK MACHINE/MICROFILM SLIDES MADE WITH 3-M CAMERA	
a. For one microfilm slide	$ 6.75/slide
b. For each duplicate copy of the microfilm slide made at the same time	1.10/each addit. slide
c. For the first print on the Itek Machine, 18" x 24" size	6.55/print
d. For each additional print on the Itek Machine, 18" x 24" size, made at the same time	1.25/ea. addit. print
3. SEWER SERVICE AREA MAP	
a. Sewer Service area map	1.15/ea.
C. TRANSCRIPTS	Actual Cost Plus Indirect Costs

*These fees exclude postage and handling which may be added if mailing is required.

MODESTO CITY COUNCIL
RESOLUTION NO.
81-1130

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE EMPIRE FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Empire Fire Protection District in Stanislaus County was annexed to the City of Modesto as South Airport Annexation to the City of Modesto, by Resolution No. 80-191 adopted on March 4, 1980, and said annexation officially became a part of the City of Modesto on December 8, 1981, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Empire Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1981.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1130

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE EMPIRE FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Empire Fire Protection District in Stanislaus County was annexed to the City of Modesto as South Airport Annexation to the City of Modesto, by Resolution No. 80-191 adopted on March 4, 1980, and said annexation officially became a part of the City of Modesto on December 8, 1981, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Empire Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1982.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

SOUTH AIRPORT ANNEXATION
TO THE CITY OF MODESTO

All that real property situated in Section 34, Township 3 South, Range 9 East, Mount Diablo Meridian, in the County of Stanislaus, State of California, lying within the following described perimeter:

BEGINNING at the northeasterly corner of TUOLUMNE REGIONAL PARK NO. 1 ADDITION, as per description filed November 19, 1974, as Instrument No. 19675, Stanislaus County Records, said point being on the east line of 60-foot wide Conejo Avenue; thence on the northerly line of said Tuolumne Regional Park No. 1 Addition the following 28 courses: (1) North 80°23'50" West, 198.37 feet, parallel with and 20.00 feet, at right angles northerly from the northerly line of Lot 16 of Block 2145 of Legion Park Tract, as per map filed in Volume 14 of Maps, at Page 10, Stanislaus County Records, to the westerly line of Lot 2 of said Block 2145; thence, on the westerly line of said Lot 2, (2) South 9°27'10" West, 20.00 feet to the northerly line of said Lot 16; thence on the northerly line of said Lot 16, (3) North 80°23'50" West, 53.50 feet to the southwesterly corner of Lot 3 of said Block 2145; thence on the westerly line of said Lot 3 (4) North 9°27'10" East, 20.00 feet to a line which is parallel with and 20.00 feet, at right angles northerly from the northerly line of Lot 16 of said Block 2145; thence on said last mentioned parallel line (5) North 80°23'50" West, 53.50 feet to the westerly line of Lot 4 of said Block 2145; thence on said westerly line of Lot 4, (6) South 9°27'10" West, 20.00 feet to the northerly line of said Lot 16; thence on the northerly line of said Lot 16 (7) North 80°23'50" West, 214.00 feet to the southwesterly corner of Lot 8 of said Block 2145; thence on the westerly line of said Lot 8, (8) North 9°27'10" East, 20.00 feet to a line which is parallel with and 20.00 feet, at right angles northerly from the northerly line of said Lot 16; thence on said last mentioned parallel line, (9) North 80°23'50" West, 53.50 feet to the westerly line of Lot 9 of said Block 2145; thence on the westerly line of said Lot 9, (10) South 9°27'10" West, 20.00 feet to the northerly line of said Lot 16; thence on the northerly line of said Lot 16, (11) North 80°23'50" west, 53.50 feet to the southwesterly corner of Lot 10 of said Block 2145; thence on the westerly line of said Lot 10, (12) North 9°27'10" East, 20.00 feet to a line which is parallel with and 20.00 feet, at right angles northerly from the northerly line of Lot 16 of said Block 2145; thence on said last mentioned parallel line, (13) North 80°23'50" West, 110.08 feet to the westerly line of the lands described in the deed to Louis W. Walker, et ux, recorded February 2, 1946, as Instrument No. 3135, Stanislaus County Records; thence on the westerly line of said Walker lands, (14) North 0°40'10" East 126.63 feet to the norhterly line of Lot 13 of said Block 2145; thence on the northerly line of said Lot 13, (15) North 80°32'50" West, 4.61 feet to the beginning of a curve concave to the south, having a radius of 600.24 feet, and a central angle of 2°25'20"; thence (16) Northwesterly on the arc of said curve 25.38 feet; thence, leaving the northerly line of said Lot 13,

(17) South 0°40'10" West, 146.25 feet on the easterly line of lands described in the deed to James Allen Beeks, et ux, recorded November 26, 1945, as Instrument No. 21599, Stanislaus County Records, to the northerly line of said Lot 16; thence leaving said northerly line, and on the easterly line of the lands described in the deed to Roberta Rone, et ux, recorded August 20, 1965 as Instrument No. 32673, Stanislaus County Records, (18) South 0°45'30" West, 75.87 feet;thence (19) North 80°24'00" West, 121.52 feet on the southerly line of said Rone property to the easterly line of the lands described in the Decree of Distribution to Richard Franklin Thrasher and Shirley Caroline Lundstrom, recorded October 3, 1963, as Instrument No. 37540, Stanislaus County Records; thence on the easterly line of said Thrasher property (20) North 0° 38'20" West, 392.51 feet; thence on the northerly line of said Thrasher property, (21) North 89°50'32" West, 199.08 feet; thence on a westerly line of said Thrasher property, (22) South 0°44'00" East, 65.14 feet; thence on a northerly line of said Thrasher property, (23) South 89°45'00" West, 160.97 feet to the centerline of 60-foot wide Thrasher Avenue; thence on said centerline (24) North 0°20'00" West, 200.00 feet to a southerly line of lands described in deed to Modesto City School District, recorded August 23, 1945, as Instrument No. 14789, Stanislaus County Records; thence on said southerly line of Modesto City School District property, (25) South 89°45'00" West, 156.23 feet to the centerline of the 20-foot wide Alley in Block 2111 of the Victory Tract, as shown on the map recorded in Volume 14 of Maps, at Page 24, Stanislaus County Records; thence (26) South 0°34'30" East, 273.09 feet, on said centerline to the centerline of 60-foot wide Hillside Avenue, on a curve concave to the northeast, having a radius of 4180.46 feet, and a central angle of 15°32'29", and from where the radius point of said curve bears North 14°30'31" East; thence (27) Northwesterly, on the arc of said curve, 1133.94 feet; thence (28) North 59"57' West, on said centerline of Hillside Avenue, 87.50 feet to the centerline of 60-foot wide Santa Cruz Avenue; thence, leaving the northerly line of said Tuolumne Regional Park No. 1 Addition, and on the centerline of Santa Cruz Avenue, North 0°41' West, 391.00 feet to the centerline of 60-foot wide Monterey Avenue; thence North 89°39' East, on said centerline, 468.14 feet; thence South 89°51' East, on said centerline of Monterey Avenue, 2009.74 feet to the westerly line of AIRPORT ADDITION, as per description filed March 19, 1959, as Instrument No. 7984, Stanislaus County Records; thence South 0°42'20" East on said west line, and the east line of 60-foot wide Conejo Avenue, 957.27 feet to the beginning of a curve concave to the east, having a radius of 187.43 feet, and a central angle of 21°25'; thence Southerly, on the arc of said curve, 70.06 feet to the point of reverse curvature with a curve concave to the west, having a radius of 247.43 feet, and a central angle of 21°25'; thence Southerly, on the arc of said curve, 92.49 feet; thence South 0°42'20" East, 62.38 feet to the point of beginning.

MODESTO CITY COUNCIL
RESOLUTION NO.
81-1131

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE EMPIRE FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Empire Fire Protection District in Stanislaus County was annexed to the City of Modesto as North Airport Annexation to the City of Modesto by Resolution No. 80-732 adopted on July 22, 1980, and said annexation officially became a part of the City of Modesto on December 8, 1981, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Empire Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1981.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1131

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE EMPIRE FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Empire Fire Protection District in Stanislaus County was annexed to the City of Modesto as North Airport Annexation to the City of Modesto by Resolution No. 80-732 adopted on July 22, 1980, and said annexation officially became a part of the City of Modesto on December 8, 1981, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Empire Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1982.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

NORTH AIRPORT ANNEXATION TO THE CITY OF MODESTO

All that real property situated in Section 34, Township 3 South, Range 9 East, Mount Diablo Meridian, County of Stanislaus, State of California, described as follows:

Beginning at a point on the present city limits line as established by the airport addition, recorded March 19, 1959, as Instrument No. 7984, Stanislaus County Records, said point being on the centerline of 60-foot wide Oregon Drive, formerly Sierra Avenue, as said Sierra Avenue is shown on the Map of Sierra Subdivision No. 2, recorded in Volume 11 of Maps, Page 31; Stanislaus County Records; thence southerly and on the present City Limits line the following eight courses and distances: (1) South 0°18' East, 30.93 feet to the south line of Oregon Drive and the northeasterly corner of 60-foot wide Conejo Avenue, as conveyed to County of Stanislaus for a public highway by deed recorded in Volume 692 of Official Records, at page 443, Stanislaus County Records; thence continuing (2) South 0°18' East on the east line of Conejo Avenue 111.37 feet to the beginning of a curve concave to the northeast, having a radius of 120.00 feet, and a central angle of 71°02'; thence (3) southeasterly on the arc of said curve 148.77 feet to the point of reverse curvature with a curve concave to the southwest, having a radius of 180.00 feet and a central angle of 49°46'; thence (4) southeasterly on the arc of said curve 156.35 feet to a point on the south line of Lot 2 in Block 2141 as shown on the aforesaid Map of Sierra Subdivision No. 2; thence (5) leaving said east line of Conejo Avenue, South 89°51' East, on the south line of said Lot 2 a distance of 214.49 feet to the southeast corner of said Lot 2; thence (6) South 0°19' East on the east line of said Block 2141 a distance of 916.51 feet to the southeast corner thereof; thence (7) South 89°51' East on the north line of 60.00 feet wide Tuolumne Avenue, now Monterey Avenue, 30.00 feet to the northerly extension of the east line of 60-foot wide Conejo Avenue, as shown on map of Legion Park Tract, recorded in Volume 14 of Maps, at page 10, Stanislaus County Records; thence (8) South 0°42'20" East on said northerly extension 30.00 feet; thence, leaving said City Limits line, and on the centerline of Monterey Avenue (formerly Tuolumne Avenue) the following two courses: (1) North 89°51' West 2009.74 feet; thence (2) South 89°39' West 468.14 feet to the centerline of 60-foot wide Santa Cruz Avenue, as shown on the Map of Sierra Subdivision, recorded in Volume 11 of Maps, at page 15, Stanislaus County Records; thence North 0°17' West, on said centerline

of Santa Cruz Avenue 1359.40 feet to the centerline of Oregon Drive (formerly Sierra Avenue); thence on the centerline of Oregon Drive, the following three courses and distances: (1) North 89°35' East, 468.14 feet; (2) South 89°50' East 1330.41 feet; and thence (3) South 76°14' East 251.68 feet to the point of beginning.

Containing 72.7 acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1132

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAN AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (SOUTH AIRPORT ANNEXATION TO THE CITY OF MODESTO)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 80-191 on March 4, 1980, certain territory known as South Airport Annexation to the City of Modesto, and

WHEREAS, the inclusion of the area contained in South Airport Annexation to the City of Modesto to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as South Airport Annexation to the City of Modesto (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 229.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, January 26, 1982, at the hour of 7:30 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgement of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 229.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the

Council voting for and against it, to be published once a week for at least two (2) weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) The northwest corner of the Annexation at the southeast corner of Monterey Avenue and South Santa Cruz Avenue.

(2) The north line of the Annexation at the southeast corner of Monterey Avenue and Benson Avenue.

(3) The north line of the Annexation at the southeast corner of Monterey Avenue and Empire Avenue.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address

as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 229, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers	Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers	None
ABSENT:	Councilmembers	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

SOUTH AIRPORT ANNEXATION
TO THE CITY OF MODESTO

All that real property situated in Section 34, Township 3 South, Range 9 East, Mount Diablo Meridian, in the County of Stanislaus, State of California, lying within the following described perimeter:

BEGINNING at the northeasterly corner of TUOLUMNE REGIONAL PARK NO. 1 ADDITION, as per description filed November 19, 1974, as Instrument No. 19675, Stanislaus County Records, said point being on the east line of 60-foot wide Conejo Avenue; thence on the northerly line of said Tuolumne Regional Park No. 1 Addition the following 28 courses: (1) North 80°23'50" West, 198.37 feet, parallel with and 20.00 feet, at right angles northerly from the northerly line of Lot 16 of Block 2145 of Legion Park Tract, as per map filed in Volume 14 of Maps, at Page 10, Stanislaus County Records, to the westerly line of Lot 2 of said Block 2145; thence, on the westerly line of said Lot 2, (2) South 9°27'10" West, 20.00 feet to the northerly line of said Lot 16; thence on the northerly line of said Lot 16, (3) North 80°23'50" West, 53.50 feet to the southwesterly corner of Lot 3 of said Block 2145; thence on the westerly line of said Lot 3 (4) North 9°27'10" East, 20.00 feet to a line which is parallel with and 20.00 feet, at right angles northerly from the northerly line of Lot 16 of said Block 2145; thence on said last mentioned parallel line (5) North 80°23'50" West, 53.50 feet to the westerly line of Lot 4 of said Block 2145; thence on said westerly line of Lot 4, (6) South 9°27'10" West, 20.00 feet to the northerly line of said Lot 16; thence on the northerly line of said Lot 16 (7) North 80°23'50" West, 214.00 feet to the southwesterly corner of Lot 8 of said Block 2145; thence on the westerly line of said Lot 8, (8) North 9°27'10" East, 20.00 feet to a line which is parallel with and 20.00 feet, at right angles northerly from the northerly line of said Lot 16; thence on said last mentioned parallel line, (9) North 80°23'50" West, 53.50 feet to the westerly line of Lot 9 of said Block 2145; thence on the westerly line of said Lot 9, (10) South 9°27'10" West, 20.00 feet to the northerly line of said Lot 16; thence on the northerly line of said Lot 16, (11) North 80°23'50" west, 53.50 feet to the southwesterly corner of Lot 10 of said Block 2145; thence on the westerly line of said Lot 10, (12) North 9°27'10" East, 20.00 feet to a line which is parallel with and 20.00 feet, at right angles northerly from the northerly line of Lot 16 of said Block 2145; thence on said last mentioned parallel line, (13) North 80°23'50" West, 110.08 feet to the westerly line of the lands described in the deed to Louis W. Walker, et ux, recorded February 2, 1946, as Instrument No. 3135, Stanislaus County Records; thence on the westerly line of said Walker lands, (14) North 0°40'10" East 126.63 feet to the norhterly line of Lot 13 of said Block 2145; thence on the northerly line of said Lot 13, (15) North 80°32'50" West, 4.61 feet to the beginning of a curve concave to the south, having a radius of 600.24 feet, and a central angle of 2°25'20"; thence (16) Northwesterly on the arc of said curve 25.38 feet; thence, leaving the northerly line of said Lot 13,

(17) South 0°40'10" West, 146.25 feet on the easterly line of lands described in the deed to James Allen Beeks, et ux, recorded November 26, 1945, as Instrument No. 21599, Stanislaus County Records, to the northerly line of said Lot 16; thence leaving said northerly line, and on the easterly line of the lands described in the deed to Roberta Rone, et ux, recorded August 20, 1965 as Instrument No. 32673, Stanislaus County Records, (18) South 0°45'30" West, 75.87 feet;thence (19) North 80°24'00" West, 121.52 feet on the southerly line of said Rone property to the easterly line of the lands described in the Decree of Distribution to Richard Franklin Thrasher and Shirley Caroline Lundstrom, recorded October 3, 1963, as Instrument No. 37540, Stanislaus County Records; thence on the easterly line of said Thrasher property (20) North 0° 38'20" West, 392.51 feet; thence on the northerly line of said Thrasher property, (21) North 89°50'32" West, 199.08 feet; thence on a westerly line of said Thrasher property, (22) South 0°44'00" East, 65.14 feet; thence on a northerly line of said Thrasher property, (23) South 89°45'00" West, 160.97 feet to the centerline of 60-foot wide Thrasher Avenue; thence on said centerline (24) North 0°20'00" West, 200.00 feet to a southerly line of lands described in deed to Modesto City School District, recorded August 23, 1945, as Instrument No. 14789, Stanislaus County Records; thence on said southerly line of Modesto City School District property, (25) South 89°45'00" West, 156.23 feet to the centerline of the 20-foot wide Alley in Block 2111 of the Victory Tract, as shown on the map recorded in Volume 14 of Maps, at Page 24, Stanislaus County Records; thence (26) South 0°34'30" East, 273.09 feet, on said centerline to the centerline of 60-foot wide Hillside Avenue, on a curve concave to the northeast, having a radius of 4180.46 feet, and a central angle of 15°32'29", and from where the radius point of said curve bears North 14°30'31" East; thence (27) Northwesterly, on the arc of said curve, 1133.94 feet; thence (28) North 59"57' West, on said centerline of Hillside Avenue, 87.50 feet to the centerline of 60-foot wide Santa Cruz Avenue; thence, leaving the northerly line of said Tuolumne Regional Park No. 1 Addition, and on the centerline of Santa Cruz Avenue, North 0°41' West, 391.00 feet to the centerline of 60-foot wide Monterey Avenue; thence North 89°39' East, on said centerline, 468.14 feet; thence South 89°51' East, on said centerline of Monterey Avenue, 2009.74 feet to the westerly line of AIRPORT ADDITION, as per description filed March 19, 1959, as Instrument No. 7984, Stanislaus County Records; thence South 0°42'20" East on said west line, and the east line of 60-foot wide Conejo Avenue, 957.27 feet to the beginning of a curve concave to the east, having a radius of 187.43 feet, and a central angle of 21°25'; thence Southerly, on the arc of said curve, 70.06 feet to the point of reverse curvature with a curve concave to the west, having a radius of 247.43 feet, and a central angle of 21°25'; thence Southerly, on the arc of said curve, 92.49 feet; thence South 0°42'20" East, 62.38 feet to the point of beginning.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on December 15, 1981, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lang, seconded by Councilmember Siefkin, and adopted by the following vote:

AYES:	Councilmembers:	Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: December 15, 1981

Norrine Coyle

City Clerk of the City of Modesto, California

(SEAL)

South Airport Annexation

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1133

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAN AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (NORTH AIRPORT ANNEXATION TO THE CITY OF MODESTO)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 80-732 on July 22, 1980, certain territory known as North Airport Annexation to the City of Modesto, and

WHEREAS, the inclusion of the area contained in North Airport Annexation to the City of Modesto to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as North Airport Annexation to the City of Modesto (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 228.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, January 26, 1982, at the hour of 7:30 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgement of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 228.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the

Council voting for and against it, to be published once a week for at least two (2) weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) The southwest corner of the Annexation at the northeast corner of Santa Cruz Avenue and Monterey Avenue.

(2) The northwest corner of the Annexation at the southeast corner of Santa Cruz Avenue and Oregon Drive.

(3) The north line of the Annexation at the southeast corner of Empire Avenue and Oregon Drive.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address

as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 228, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers None

ABSENT: Councilmembers Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

NORTH AIRPORT ANNEXATION TO THE CITY OF MODESTO

All that real property situated in Section 34, Township 3 South, Range 9 East, Mount Diablo Meridian, County of Stanislaus, State of California, described as follows:

Beginning at a point on the present city limits line as established by the airport addition, recorded March 19, 1959, as Instrument No. 7984, Stanislaus County Records, said point being on the centerline of 60-foot wide Oregon Drive, formerly Sierra Avenue, as said Sierra Avenue is shown on the Map of Sierra Subdivision No. 2, recorded in Volume 11 of Maps, Page 31; Stanislaus County Records; thence southerly and on the present City Limits line the following eight courses and distances: (1) South 0°18' East, 30.93 feet to the south line of Oregon Drive and the northeasterly corner of 60-foot wide Conejo Avenue, as conveyed to County of Stanislaus for a public highway by deed recorded in Volume 692 of Official Records, at page 443, Stanislaus County Records; thence continuing (2) South 0°18' East on the east line of Conejo Avenue 111.37 feet to the beginning of a curve concave to the northeast, having a radius of 120.00 feet, and a central angle of 71°02'; thence (3) southeasterly on the arc of said curve 148.77 feet to the point of reverse curvature with a curve concave to the southwest, having a radius of 180.00 feet and a central angle of 49°46'; thence (4) southeasterly on the arc of said curve 156.35 feet to a point on the south line of Lot 2 in Block 2141 as shown on the aforesaid Map of Sierra Subdivision No. 2; thence (5) leaving said east line of Conejo Avenue, South 89°51' East, on the south line of said Lot 2 a distance of 214.49 feet to the southeast corner of said Lot 2; thence (6) South 0°19' East on the east line of said Block 2141 a distance of 916.51 feet to the southeast corner thereof; thence (7) South 89°51' East on the north line of 60.00 feet wide Tuolumne Avenue, now Monterey Avenue, 30.00 feet to the northerly extension of the east line of 60-foot wide Conejo Avenue, as shown on map of Legion Park Tract, recorded in Volume 14 of Maps, at page 10, Stanislaus County Records; thence (8) South 0°42'20" East on said northerly extension 30.00 feet; thence, leaving said City Limits line, and on the centerline of Monterey Avenue (formerly Tuolumne Avenue) the following two courses: (1) North 89°51' West 2009.74 feet; thence (2) South 89°39' West 468.14 feet to the centerline of 60-foot wide Santa Cruz Avenue, as shown on the Map of Sierra Subdivision, recorded in Volume 11 of Maps, at page 15, Stanislaus County Records; thence North 0°17' West, on said centerline

of Santa Cruz Avenue 1359.40 feet to the centerline of Oregon Drive (formerly Sierra Avenue); thence on the centerline of Oregon Drive, the following three courses and distances: (1) North 89°35' East, 468.14 feet; (2) South 89°50' East 1330.41 feet; and thence (3) South 76°14' East 251.68 feet to the point of beginning.

Containing 72.7 acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on December 15, 1981, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lang, seconded by Councilmember Siefkin, and adopted by the following vote:

AYES:	Councilmembers:	Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: December 15, 1981

Norrine Coyle

City Clerk of the City of Modesto, California

(SEAL)

North Airport Annexation

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1134

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CONSULTANT, TJKM, FOR TRAFFIC ANALYSIS OF THE PROPOSED VILLAGE OF WESTWOOD AND THE R.T. HUGHES DEVELOPMENTS NEAR THE PELANDALE-SISK INTERSECTION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and consultant, TJKM, for traffic analysis of the proposed Village of Westwood and the R.T. Hughes Developments near the Pelandale-Sisk intersection

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** December, **19**81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1135

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND REED LEASING AND RENTAL, INC. AT THE CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the lease and concession agreement between the City of Modesto and Reed Leasing and Rental, Inc. for changes in parking, eliminating the separate payment for counter space, and paying the City 10% of its gross revenues instead of 7½%

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** December, **19** 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1136

A RESOLUTION WAIVING SIGN PERMIT FEES FOR SIGNS TO BE MOVED, REMOVED, MODIFIED OR REPLACED BY NEW SIGNS TO CONFORM TO THE 1970-71 SIGN REGULATIONS.

WHEREAS, Section 10-2.3503(i) of the Modesto Municipal Code authorizes the Council, by resolution, to establish sign permit fees, and

WHEREAS, Resolution No. 77-707 established sign permit fees, and

WHEREAS, the Council desires to waive sign permit fees established by Resolution No. 77-707 for signs to be moved, removed, modified or replaced by new signs to conform to the 1970-71 sign regulations, which signs are to be made conforming to the sign regulations referred to herein by January 1, 1982, or such other date or dates which the Council may determine to be appropriate, and

WHEREAS, the period of time for which the Council desires to waive sign permit fees for signs to be moved, removed, modified or replaced by new signs is from December 1, 1981, through December 31, 1983.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby waives for the period of time between December 1, 1981, through December 31, 1983, the sign permit fees established by Resolution No. 77-707 for signs to be moved, removed, modified or replaced by new signs to conform to the 1970-71 sign regulations, which signs are to be made conforming to the sign regulations referred to herein by January 1, 1982, or such other date or dates which the Council may determine to be appropriate.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1981, by Councilmember Lang, who moved its adoption, which motion being

duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Edwyn L. Johnson
EDWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1137

A RESOLUTION SETTING TIME AND PLACE FOR AN INFORMAL PUBLIC HEARING ON A TWO-YEAR SIGN ABATEMENT STRATEGY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that January 12, 1982 , at 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a two-year sign abatement strategy.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** December, 19 81, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1138

A RESOLUTION APPROVING AMENDMENT TO MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MODESTO AND THE MODESTO CITY EMPLOYEES ASSOCIATION REGARDING THE RE-CLASSIFICATION AND SALARY STUDY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the amendment to the Memorandum of Understanding between the City of Modesto and the Modesto City Employees Association to extend the implementation deadline regarding the reclassification and salary study, be and it is hereby approved.

BE IT FURTHER RESOLVED that the implementation of said amendment to the Memorandum of Understanding by the designated City officials is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1981, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81- 1139

A RESOLUTION RESTATING AND AMENDING THE MANDATORY DEFERRED COMPENSATION PLAN FOR CERTAIN EMPLOYEES OF THE CITY OF MODESTO, AND SUPERSEDING RESOLUTIONS NO. 78-915, 79-641, AND 81-557.

WHEREAS, this Council, by Resolution No. 78-915, adopted on August 21, 1978, established a Mandatory Deferred Compensation Plan for certain of the employees of the City of Modesto, and

WHEREAS, thereafter by Resolution No. 79-641, adopted on June 26, 1979 and Resolution No. 81-557, adopted on June 23, 1981, said Plan was amended, and

WHEREAS, the Congress of the United States has adopted amendments to the Internal Revenue Code and the Internal Revenue Service has proposed certain regulations which require said Plan to be amended prior to January 1, 1982 in order to retain the maximum benefits for the employees of the City of Modesto, and

WHEREAS, the Council desires to amend the Plan to provide conformity with such federal requirements and to restate the Plan in full, as amended hereby,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City of Modesto's Mandatory Deferred Compensation Plan for certain employees of the City of Modesto is hereby amended and restated in its entirety as follows:

SECTION 1. There is hereby established a Mandatory Deferred Compensation Plan (herein referred to as the "Plan") for the hereinafter designated employees of the City of Modesto. Except as otherwise provided herein, said Plan shall be operative effective July 4, 1978.

SECTION 2. Effective July 4, 1978, all employees of the City of Modesto who hold salaried positions of employment, except sworn fire and police officers, shall have 2% of their gross regular salary each pay period deferred until said employee retires or otherwise terminates employment with the City of Modesto. In addition thereto, the City of Modesto shall pay into said Mandatory Deferred Compensation Plan, each pay period for each such employee, an amount equal to 1% of each such employee's gross regular salary. Provided, however, that no such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

SECTION 3. Effective June 30, 1981, the City of Modesto shall also pay into said Mandatory Deferred Compensation Plan each pay period:

A. For each employee of the City of Modesto who holds a salaried position of employment in the classifications of Police Officer and Detective and who does not subscribe for health insurance coverage for said employee's dependents, an amount equal to the difference between $12.35 and the amount paid by the City of Modesto toward the cost of health insurance coverage for dependents for the employees in said classifications of Police Officer and Detective who subscribe for health insurance coverage for dependents for which the City pays the premiums. Provided, however, that no such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

B. For each employee of the City of Modesto who holds a salaried position of employment, except employees in the classifications of Fire Fighter, Fire Engineer, Fire Lieutenant, Police Officer, Detective, and

those employees in classifications and positions designated as Management and Confidential, and who subscribes for employee health and dental insurance coverage under the City's group health and dental insurance plans, and who does not subscribe under said plans for health and dental insurance coverage for said employee's dependents, an amount equal to the difference between $12.35 and the amount paid by the City of Modesto for health and dental insurance coverage for dependents for the employees in the classificiations covered by this Paragraph B who subscribe for health and dental insurance coverage for dependents under the City's group health and dental insurance plans. Provided, however, that no such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

C. For each employee of the City of Modesto who holds a salaried position of employment, except employees in the classification of Fire Fighter, Fire Engineer, Fire Lieutenant, Police Officer, Detective, and those employees in classifications and positions designated as Management and Confidential, and who subscribes for employee health and dental insurance coverage under the Operating Engineers Union Local No. 3 group health and dental insurance coverage for said employee's dependents, an amount equal to the difference between $12.35 and the total amount the City pays for health and dental insurance for an employee and the employee's dependents under the City's group health and dental insurance plans less the cost of health and dental insurance for an employee only under the Operating Engineers Union Local No. 3 group health and dental insurance plan for which the City pays the premium. Provided however, that no such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

D. For each employee of the City of Modesto who holds a salaried position of employment in a classification or position designated as Management or Confidential, except Fire Battalion Chief, and who does not subscribe for health and dental insurance coverage for said employee's dependents under the City's group health and dental insurance plans, an amount equal to the amount paid by the City of Modesto for health and dental insurance coverage for dependents for the employees in said classifications and positions who subscribe for health and dental insurance coverage for dependents under the City's group health and dental insurance plans. Provided, however, that no such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

E. For each employee of the City of Modesto who holds a salaried position of employment in the classification of Fire Battalion Chief, and who does not subscribe for health and dental insurance coverage for said employee's dependents under the City's group health and dental insurance plans, an amount equal to the amount paid by the City of Modesto for dental insurance coverage for dependents for the employees in said classification of Fire Battalion Chief who subscribe for dental insurance coverage for dependents under the City's group dental insurance plan. Provided, however, that no such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

SECTION 4. Except as provided in Section 5 hereof, the maximum permitted deferral of includable compensation in any one taxable year for any employee shall not exceed the lesser of (a) $7,500, or (b) 33 1/3% of

the employee's includable compensation as that term is defined by the Internal Revenue Service Regulations governing deferred compensation plans.

SECTION 5. During the last three taxable years before the employee reaches age 60, or at the employee's option in any three taxable years thereafter, the maximum permitted deferral of includable compensation in any one taxable year shall be the lesser of (a) $15,000 or (b) the sum of $7,500 and so much of the maximum permitted deferral established for taxable years before the three taxable years as has not been previously deferred. The years in which this provision is to apply shall be designated in advance by a written request from the employee to the Director of Finance.

SECTION 6. Each employee covered by the Plan shall be deemed to have agreed to each of the provisions hereof, and specifically to the deferral of salary as provided by the Plan. Deferral of salary for employees hired subsequent to the adoption of this Plan shall begin immediately upon hire of said employees.

SECTION 7. There is hereby established a Mandatory Deferred Compensation Committee to administer the Plan established hereby. The Committee shall consist of three persons to be appointed by and serve at the pleasure of the City Manager, one of whom shall be appointed by the City Manager to be its Chairman. The Committee shall have such powers and duties as may be given to it by this resolution, or as may be necessary in order to carry out the provisions of agreements with depositaries entered into from time to time. It shall also have such further powers and duties as may be delegated to it from time to time by the City Council.

Persons who are currently members of the Mandatory Deferred Compensation Committee as established by Resolution No. 78-915, shall continue in office, and

shall serve at the pleasure of the City Manager as though appointed pursuant to this section.

SECTION 8. The Committee is hereby authorized and empowered to make such determinations regarding investment of money, and payment and distribution of funds to an employee covered by the Plan as may be necessary in order to carry out the provisions of the Plan established hereby.

SECTION 9. All funds and assets held in or credited to the Mandatory Deferred Compensation Plan for the benefit of an employee shall be paid and distributed as herein provided to the employee, or the employee's beneficiary, as the case may be.

A. Distribution upon retirement or disability of employee or other termination of employment. In the event an employee retires from the City or becomes permanently disabled from continuing full time employment with the City, the City will distribute to such employee the funds and assets of the Plan which have been deferred for his or her benefit in a lump sum or in equal monthly, quarterly or annual installments over a period of years not to be in excess of the employee's life expectancy.

B. Distribution upon death of employee. In the event of the death of an employee, the City will distribute to the employee's beneficiary the funds and assets of the Plan which have been deferred for his or her benefit in a lump sum or in equal monthly, quarterly or annual installments over a period of years not to be in excess of the beneficiary's life expenctancy. In the event of the death of the beneficiary while receiving installment payments, any remaining balance in the employee's Mandatory Deferred Compensation account shall be deemed to be the property of the beneficiary at the time of

the beneficiary's death, and shall be distributed to the persons legally entitled thereto.

C. Distribution prior to one year of employment. In the event that any employee becomes entitled to distribution of the amounts deferred for his or her benefit prior to one year of employment with the City of Modesto, distribution of the amounts deferred from the employee's gross regular salary shall be made as provided in this section; however, no distribution shall be made to the employee or his beneficiary of the amounts paid into the Plan by the City of Modesto. In such event, such amounts shall be returned to the appopriate fund of the City of Modesto.

SECTION 10. The City Manager is hereby authorized and directed from time to time to time to execute, on behalf of the City of Modesto, Custodial Agreements for the City of Modesto's Mandatory Deferred Compensation Plan with depositories as approved from time to time by the City Council.

SECTION 11. Except as otherwise herein provided, all prior actions and agreements of the City of Modesto relating to the Mandatory Deferred Compensation Plan are hereby ratified and are continued in full force and effect.

BE IT FURTHER RESOLVED, that Resolution No. 78-915, adopted August 21, 1978, Resolution No. 79-641, adopted June 26, 1979, and Resolution No. 81-557 adopted June 23, 1981, are superseded by this resolution.

BE IT FURTHER RESOLVED, that this resolution shall be effective on December 29, 1981.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 15th day of December, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1140

A RESOLUTION RESTATING AND AMENDING THE VOLUNTARY DEFERRED COMPENSATION PLAN FOR THE EMPLOYEES OF THE CITY OF MODESTO, AND SUPERSEDING RESOLUTION NOS. 72-800, 73-20, 73-406, 73-124, 73-752, 73-873, 73-997-A, 74-198, 79-12, 80-642, AND 81-277.

WHEREAS, this Council by Resolution No. 72-800, adopted on June 26, 1972, established a Voluntary Deferred Compensation Plan by which officers and employees of the City of Modesto may voluntarily elect to have a portion of the compensation paid to them for the performance of their duties deferred and paid over to them at a later time, and

WHEREAS, thereafter said Voluntary Plan was amended by Resolution Nos. 73-20, 73-406, 73-124, 73-752, 73-873, 73-997-A, 74-198, 79-12, 80-642, and 81-277, and

WHEREAS, until recently the authority of the City of Modesto to operate said Voluntary Plan was based upon a Ruling Letter from the Internal Revenue Service dated November 20, 1972, and

WHEREAS, the Congress of the United States has adopted amendments to the Internal Revenue Code, and the Internal Revenue Service has proposed certain regulations permitting the City of Modesto to maintain a deferred compensation plan independent of any ruling letter provided certain provisions are contained in the plan, and

WHEREAS, in addition to the amendments to the Internal Revenue Code, the Internal Revenue Service has proposed certain regulations which require said Plan to be amended in order to retain maximum benefits for the employees of the City of Modesto, and

WHEREAS, the Council desires to amend the Voluntary Deferred Compensation Plan to provide conformity with such federal requirements, and to restate the Plan in full, as amended hereby,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, that the City of Modesto's Voluntary Deferred Compensation Plan is hereby amended and restated in its entirety as follows:

SECTION 1. There is hereby established a Voluntary Deferred Compensation Plan (hereinafter referred to as the "Plan"), pursuant to which the officers and employees of the City of Modesto who hold salaried positions of employment or who receive compensation for the performance of their duties may voluntarily elect to defer payment of a portion of their salary or compensation to be paid over to them at a later time.

SECTION 2. That the City Manager or his designee is hereby authorized from time to time to execute counterparts for and on behalf of the City of Modesto of a "Voluntary Deferred Compensation Agreement" in a form approved from time to time by the City Council as the agreement to be entered into by and between the City of Modesto and those of its officers and employees who voluntarily elect to participate in the Plan.

SECTION 3. Employees who desire to participate in the Plan may elect to do so at any time prior to the 15th day of the month before such deferral is to begin. The deferral will then commence in the first bi-weekly pay period commencing the month after the election.

SECTION 4. There is hereby established a Voluntary Deferred Compensation Committee to administer the Plan established hereby. The Committee shall consist of three persons to be appointed by and serve at the pleasure of the

City Manager, one of who shall be appointed by the City Manager to be its Chairman. The Committee shall have such powers and duties as may be given to it by this resolution, or as may be necessary in order to carry out the provisions of agreements with depositaries entered into from time to time by the City. It shall also have such further powers and duties as may be delegated to it from time to time by the City Council. No member of the Committee shall be a participant in the Plan. Persons who are currently members of the Voluntary Deferred Compensation Committee as established by Resolution No. 72-800, shall continue in office, and shall serve at the pleasure of the City Manager as though appointed pursuant to this section.

SECTION 5. The Committee is hereby empowered to make the determinations regarding the investment of money, and payment and distribution of funds by City under the Voluntary Deferred Compensation Agreement referred to in Section 2 above.

SECTION 6. The City Clerk is hereby authorized and directed to certify to depositaries, and such other persons, firms or organizations with whom the City may have entered into contracts regarding the Plan established hereby, the names of the incumbent members of the Committee, and from time to time the names of such other persons who may be appointed to said offices.

SECTION 7. Except as otherwise provided in this Resolution, the maximum deferral in any one taxable year for a given employee shall be the lesser of (a) $7,500.00, or (b) 33 1/3 percent of the employee's includable compensation as that term is defined by the Internal Revenue Service regulations governing deferred compensation plans.

SECTION 8. During the last three taxable years before an employee reaches age 60, or at the employee's option in any three taxable years thereafter,

the maximum deferral of includable compensation in any one taxable year shall be the lesser of (a) $15,000 or (b) the sum of $7,500 and so much of the maximum permitted deferral established for taxable years before the three taxable years as has not been previously deferred. The years in which this provision is to apply shall be designated in advance by a written request from the employee to the Director of Finance.

Provided that, in computing the maximum deferral permitted under the Plan, any compensation deferred under the City of Modesto Mandatory Deferred Compensation Plan, established by City Council Resolution No. 81-1139, adopted December 15, 1981, as it now exists or may hereafter be amended shall be treated as though it had been deferred under this Voluntary Deferred Compensation Plan.

SECTION 9. The City Manager is hereby authorized and directed from time to time to execute, on behalf of the City of Modesto, Custodial Agreements for the Voluntary Deferred Compensation Plan with depositories as approved from time to time by the City Council.

SECTION 10. Except as otherwise herein provided, all prior actions and agreements of the City of Modesto relating to the Voluntary Deferred Compensation Plan, other than the form and content of Voluntary Deferred Compensation Agreements referred to in Section 2 hereof between employees and the City of Modesto, are hereby ratified and are continued in full force and effect.

BE IT FURTHER RESOLVED that Resolution Nos. 72-800, adopted on June 26, 1972; No. 73-20, adopted on January 8, 1973; No. 73-124, adopted on February 5, 1973; No. 73-752, adopted on August 27, 1973; No. 73-873, adopted

on October 15, 1973; No. 73-997-A, adopted on December 10, 1973; No. 74-198, adopted on March 11, 1974; No. 79-12, adopted on January 2, 1979; No. 80-642, adopted on July 1, 1980; and No. 81-277, adopted on April 7, 1981, are superseded by this resolution.

BE IT FURTHER RESOLVED, that this resolution shall be effective on December 29, 1981.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1141

A RESOLUTION APPROVING THE FORM OF A "VOLUNTARY DEFERRED COMPENSATION AGREEMENT"

WHEREAS, this Council by Resolution No. 81-1140, adopted on December 15, 1981, 1981, restated and amended the Voluntary Deferred Compensation Plan for the Employees of the City of Modesto, and

WHEREAS, said Plan provides that the City Council is to approve from time to time the form of a "Voluntary Deferred Compensation Agreement" to be entered into by and between the City of Modesto and those of its officers and employees who voluntarily elect to participate in the Plan, and

WHEREAS, the Council desires to approve the form of such an agreement,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, that the "Voluntary Deferred Compensation Agreement" attached hereto marked Exhibit "A" is approved as the form of agreement to be used in the City of Modesto Voluntary Deferred Compensation Plan.

BE IT FURTHER RESOLVED, that this resolution shall be effective on December 29, 1981.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call

carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

VOLUNTARY DEFERRED COMPENSATION AGREEMENT

This Agreement, entered into this _____ day of _____, 19___, is by and between the CITY OF MODESTO, a municipal corporation of the State of California, hereinafter referred to as CITY, and _____ hereinafter referred to as EMPLOYEE.

WHEREAS, EMPLOYEE is employed by CITY and is paid a salary or other compensation as determined and changed from time to time by CITY, and

WHEREAS, EMPLOYEE desires to have the payment of a portion of his salary or other compensation deferred and paid over to him at a later time, and

WHEREAS, CITY recognizes that the advantages of this Agreement to EMPLOYEE constitute a benefit to CITY by retaining key personnel in its employment, and has therefore established a Voluntary Deferred Compensation Plan, and

WHEREAS, this Agreement is established for the mutual benefit of the parties and does not constitute a retirement program for EMPLOYEE,

NOW, THEREFORE, in consideration of the mutual promises and obligations contained herein and in order to effectuate the parties' mutual desires, the parties hereto agree as follows:

1. EMPLOYEE agrees to faithfully perform such services and duties as shall be assigned to him by CITY, and EMPLOYEE shall be paid CITY a salary or other compensation as determined and changed from time to time by CITY.

2. CITY and EMPLOYEE agree that out of EMPLOYEE'S total bi-weekly compensation (salary) the sum of $_____ shall be retained by CITY in a Deferred Compensation Account. The monies in said Deferred Compensation Account shall be invested by CITY in a _____

to be established with _____, as Depositary. The balance of said compensation shall be paid to EMPLOYEE each bi-weekly pay period. The amount of deferred compensation and the person, firm or corporation designated as Depositary set forth in this paragraph may be changed by EMPLOYEE'S written request to the Director of Finance of CITY and the Director of Finance's written approval of said request.

Provided that EMPLOYEE may designate as a Depositary only such persons, firms, or corporations as CITY has contracted with to act in said capacity. Provided further that the amount of compensation so deferred, and the person, firm, or corporation designated as Depositary, for the first bi-weekly pay period commencing in any month, shall be determined by such a request and approval made prior to the 15th day of the previous month, and the amount so determined and the person, firm, or corporation designated as Depositary shall not be changed until a subsequent request and approval is made in accordance with this paragraph.

3. Except as otherwise provided in this Agreement, it is mutually agreed that the maximum amount of compensation deferred in any one taxable year shall not exceed the lesser of (a) $7,500 or (b) 33 1/3 percent of EMPLOYEE'S includable compensation as that term is defined by the Internal Revenue Service regulations governing deferred compensation plans.

4. During the last three taxable years before EMPLOYEE reaches age 60, or at EMPLOYEE'S option in any three taxable years thereafter, the maximum permitted deferral of includable compensation in any one taxable year shall be the lesser of (a) $15,000 or (b) the sum of $7,500 and so much of the maximum permitted deferral established for taxable years before the three taxable years as has not been previously deferred. The years in which this provision

is to apply shall be designated in advance by a written request from EMPLOYEE to the Director of Finance of CITY.

5. Provided, that in computing the maximum deferral permitted under this Agreement, any compensation deferred under the City of Modesto Mandatory Deferred Compensation Plan, pursuant to Resolution No. _____, adopted _____, 19___, as it now exists or may hereafter be amended shall be treated as though it had been deferred under this Voluntary Deferred Compensation Agreement.

It is further expressly agreed that at such time as the compensation deferred by EMPLOYEE in any one taxable year reaches the maximum amount as defined in this Agreement, CITY may without any further notice to EMPLOYEE, cease retaining such compensation, should this occur, this Agreement shall remain in full force and effect, and retention will begin again in the next taxable year.

The term "taxable year" as used in this Agreement shall be construed to be a calendar year.

6. All funds and assets, together with interest, accumulations, and increments thereon, in said Deferred Compensation Account shall remain an asset of CITY and shall be subject to CITY'S ownership until such time as the funds or assets of said account are distributed to EMPLOYEE in accordance with the provisions of this Agreement. CITY shall have the right to deduct from said funds and assets the costs incurred by CITY in deferring, investing, and administering said funds and assets. The obligation of CITY to EMPLOYEE for the payment of the deferred compensation and increments thereon referred to in this Agreement is a contractual obligation only, and EMPLOYEE shall have no preferred or specific interest, by way of trust, escrow, annuity, or otherwise,

in and to the specific assets or funds held in said Deferred Compensation Account. The provisions of this paragraph shall supersede and control any other provisions of this Agreement which could be interpreted to be in conflict herewith.

7. The funds and assets held in said Deferred Compensation Account shall be invested and re-invested by the Depositary designated in paragraph 2 above in any manner intended to increase said resources, and the net interest, accumulation, and increments thereon shall be credited to and held in said Deferred Compensation Account for the benefit of EMPLOYEE or EMPLOYEE'S beneficiary, as the case may be, until distribution as hereinafter specified, and until such account is finally depleted in its entirety.

8. All funds and assets held in or credited to said Deferred Compensation Account, including all earnings, accumulations, and increments thereon, shall be credited to and held in said Deferred Compensation Account for the benefit of EMPLOYEE or EMPLOYEE'S beneficiary, as the case may be, until distribution as hereinafter specified, and until such account is finally depleted in its entirety:

A. Distribution Upon Retirement or Disability of Employee. In the event EMPLOYEE retires from CITY or becomes permanently disabled from continuing full-time employment with CITY, CITY will distribute to EMPLOYEE the funds and assets of the Deferred Compensation Account in a lump sum; or in equal monthly, quarterly, semi-annual, or annual installments over a period of one or more years, but not in excess of the life expectancy of the EMPLOYEE, at CITY'S sole discretion after consultation with EMPLOYEE.

B. Distribution Before Retirement or Disability of Employee. In the event EMPLOYEE terminates services for CITY prior to retirement or becoming permanently disabled from continuing full-time employment with CITY,

in order that he may accept employment or a position of public service with some other public agency, then, upon the written concurrence of the other public agency, the entire Deferred Compensation Account may at EMPLOYEE'S option, be transferred to the other public agency to be held as provided herein.

In the event EMPLOYEE terminates service for CITY prior to retirement or becoming permanently disabled from continuing full-time employment with CITY, and the Deferred Compensation Account is not transferred to another public agency, or in the event this Agreement is cancelled pursuant to paragraph 11 hereof, then, CITY will distribute to EMPLOYEE the funds and assets of the Deferred Compensation Account in a lump sum; or in equal monthly, quarterly, semi-annual, or annual installments over a period of one or more years, but not in excess of the life expectancy of the EMPLOYEE, at CITY'S sole discretion after consultation with EMPLOYEE.

C. Distribution upon Death of Employee. In the event of the death of EMPLOYEE, the funds and assets of the Deferred Compensation Account shall be distributed to EMPLOYEE'S beneficiary by CITY, in a lump sum; or in equal monthly, quarterly, semi-annual, or annual installments over a period of one or more years, but not in excess of the life expectancy of the beneficiary, at CITY'S sole discretion, after consultation with the beneficiary. In the event of the death of the beneficiary while receiving installment payments, any remaining balance in the Deferred Compensation Account shall be deemed to be the property of the beneficiary at the time of the beneficiary's death and shall be distributed to the persons legally entitled thereto.

9. CITY shall not be responsible for any loss due to the investment or failure of investment of funds and assets in said Deferred Compensation Account, nor shall CITY be required to replace any loss whatsoever which may

result from said investments.

10. EMPLOYEE'S rights under this Agreement shall not be assigned, transferred or encumbered, nor shall they be subject to attachment, execution, or process of any of EMPLOYEE'S creditors. Except as otherwise herein provided, this Agreement shall be binding upon the parties hereto, their heirs, assigns, executors, administrators, and successors in interest.

Except as otherwise provided, this Agreement may be changed or amended only by the mutual consent of CITY and EMPLOYEE with said consent to be evidenced by a writing to be executed by said parties.

11. This Agreement shall commence upon execution hereof and shall be effective until EMPLOYEE terminates his employment with CITY. Provided, that either party may, prior to the 15th day of any calendar month, notify the other party in writing that the Agreement is cancelled. Such cancellation will be effective at the start of the first bi-weekly pay period commencing in the next calendar month. In the event this Agreement is cancelled, EMPLOYEE shall continue to have the right to distribution of all funds and assets held in or credited to said Deferred Compensation Account, including all earnings, accumulations, and increments thereon, in accordance with the provisions of paragraph 5 hereof.

12. EMPLOYEE hereby designates _____ as EMPLOYEE'S beneficiary to succeed to all EMPLOYEE'S right, title, and interest in the funds and assets of said Deferred Compensation Account. The above designation of beneficiary may be changed by EMPLOYEE at any time by written notice thereof delivered to the Director of Finance of CITY and the Director of Finance's written acknowledgement of receipt of said change in beneficiary.

13. This Agreement supersedes any prior agreement, if any, between the parties relating to deferred compensation. Any funds previously deferred under such a prior agreement shall be treated in all respects as though they had been originally deferred pursuant to this Agreement.

IN WITNESS WHEREOF, the City of Modesto, a municipal corporation, has authorized the execution of this Agreement in duplicate by its City Manager or his designee under authority of Resolution No. _____ adopted by the Council of the City of Modesto on the _____ day of _____, 19___, and EMPLOYEE has caused this Agreement to be executed.

CITY OF MODESTO, a municipal corporation

By _____

_____
EMPLOYEE

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1142

A RESOLUTION APPROVING THE FINAL MAP OF THE CARPENTER PLAZA SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Valley Oak Development, a general partnership,

is (~~are~~) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 14.961 acres, known as the Carpenter Plaza Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 17th day of February, 1981, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Carpenter Plaza Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1981, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Council-

member Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1143

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON REPORT OF WORK AND COST OF CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO - COMMERCIAL ALLEY RECONSTRUCTION PHASE II AND III

BE IT HEREBY RESOLVED by the Council of the City of Modesto that January 12, 1982, at 7:30 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of the attached reports by the Superintendent of Streets on the cost of construction of improvements as described in such reports.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 19 81, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

DOWNTOWN ALLEY RECONSTRUCTION - PHASE II

Block 42 I Street-J Street/7th Street-8th Street

Frank H. Wyatt	Por.	$ 834.40
Mineni, Mineni & Mineni	Por.	$1,221.84
William B. Hughes	Por.	$ 804.65
Stephen R. Abernathy	17-21	$ 894.05
Eugene J. Reiswig	Por.	$ 447.03
Ervin S. Blocher	Por.	$ 447.03
Gertrude L. Teixeira	27-29	$ 536.43
Bernie L. Shaw	30-32	$ 536.43

Block 43 H Street-I Street/7th Street-8th Street

William B. Hughes	Por.	$1,411.39
Hardy W. Clark	Por.	$ 282.28
Mineni & Mineni	10 & 11	$ 376.37
Joy Tamaras	12-16	$ 940.93
Wilson, Bird & Helwig	17-21	$ 940.93
Robert C. Wheeler	22-28	$1,317.30
David L. Martini	Por.	$ 752.74

Block 67 J Street-K Street/10th Street-11th Street

Elizabeth G. Kokko	6-9	$ 827.74
Covell Hotel Co.	10-16	$1,448.55
Elmo Wilson	17 & 18	$ 413.87
Kounias & Kounias	21 & 22	$ 413.87
Louise B. Bacon	23 & 24	$ 413.87
J.A. Saletta	25 & 26	$ 413.87
Theodore M. Cook	27 & 28	$ 413.87
John L. Ward	29 & 30	$ 413.87
John L. Ward	31 & 32	$ 413.87

Block 70 G Street-H Street/10th Street-11th Street

Benson & Zimmerman Co.	1-10	$1,834.98
McElroy, Bontrager & Baker	11 & 12	$ 367.00
Schonhoff, Saletta & Griffith	13-16	$ 733.99
Silva & Noble	17-21	$ 917.49
Silva & Noble	22	$ 183.50
Correia, Fernandes & Cozier	23 & 24	$ 367.00
John E. Griffin	25-28	$ 733.99
P. G. & E.	Por.	$ 733.99

Block 87 L Street-M Street/11th Street-12th Street

Mil Farm Enterprises Inc.	1-9	$1,735.85
State Savings & Loan Association	10-16	$1,350.11
Sunkist Development Co.	17 & 18	$ 385.75
Sunkist Development Co.	19 & 20	$ 385.75
Marco G. Martinelli	Por.	$ 289.31
James Dombrovski	Por.	$ 385.75
Larry G. Boss	Por.	$ 385.75
Allan C. Heaston	Por.	$ 289.31
Lynn W. Jamison	28 & 29	$ 385.75
Hugo F. Wend	30-32	$ 578.62

Block 111 K Street-J Street/15th Street-14th Street

M.K. Properties	Por.	$ 670.54
Nard, Peterson & Jamison	Por.	$ 402.32
Bank of America NT & SA	Por.	$1,037.10
Marion T. Bradford	Por.	$ 751.90
Loeb Investment Co. Inc.	17-23	$1,251.67
Loeb Investment Co. Inc.	Por.	$ 286.10
Family Service Agency	Por.	$ 429.14
Lowery, Costa, Pires & Fandick Trucking Inc.	28-32	$ 894.05

DOWNTOWN ALLEY RECONSTRUCTION -PHASE III

Block 54 H Street-G Street/9th Street-10th Street

Wright Enterprises Inc.	10	$ 205.56
Bava, Bava, Bava & Bava	11 & 12	$ 411.13
Greyhound Lines Inc.	13-16	$ 822.26
Thomas B. Conway	17-20	$ 822.26
Gary C. Gervasoni	21-23	$ 616.69
Curtis L. Mote	24	$ 205.56
Central Valley Hardware Co.	25-32	$1,644.51

Block 55 I Street-H Street/9th Street-10th Street

World Savings & Loan Assn.	Por.	$1,225.66
Center State Bank	Parcel "B"	$ 323.23
O.C. Thompson	Parcel "A"	$ 712.65
Anna Kounias	Por.	$ 452.24
Anna Kounias	Por.	$ 575.58
Louie Inderbitzin	Por.	$ 419.35
Center State Bank	Por.	$1,841.86

Block 91 L Street-K Street/12th Street-13th Street

Ellen Thomas	Por.	$ 417.38
William M Mineni	3-5	$ 626.07
Eugene A. Cox	6-7	$ 417.38
Ruddy & Sutter	8-10	$ 626.07
Florence E. Corby	11-16	$1,252.14
Ruddy & Sutter	17-19	$ 626.07
Ruddy & Sutter	20-24	$1,043.45
Ruddy & Sutter	25-32	$1,669.51

Block 95 H Street-G Street/12th Street-13th Street

Michael L. Hardin	1-4	$ 809.76
Stanislaus County	5-7	$ 607.32
Tangent Investment Co.	8 & 9	$ 404.88
Franklin & Downs	10 & 11	$ 404.88
Lewis E. Franklin	Por.	$ 506.10
Susan M. Wiltse	Por.	$ 506.10
Franklin & Downs Funeral Home	17-23	$1,417.07
Stanislaus County	24-29	$1,214.64
Lane R. Ward	30-32	$ 607.32

Block 106 J Street-I Street/13th Street-14th Street

Thompson, Moon & Cremp	1-4	$ 809.76
June A. Longley	5-7	$ 607.32
Lindberg & Boyd	8-10	$ 607.32
Goldie M. Davis	11-13	$ 607.32
Richard T. Tosaw	Por.	$ 607.32
Gregory J. Hobbs	17-19	$ 607.32
Donald K. Calkins Trust	20 & 21	$ 404.88
Donald K. Calkins Trust	22	$ 202.44
Roman Catholic Welfare Corp. of Stockton	23	$ 202.44
Roger O. Sears	24	$ 202.44
Larry D. Alexander	25	$ 202.44
Margaret A. Bartlett	26	$ 202.44
Ryan, Taylor, Arata, Arata, Gallo & Patton	27-32	$1,214.64

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1144

A RESOLUTION URGING THE CIVIL AERONAUTICS BOARD TO TAKE ALL ACTIONS NECESSARY TO RESTORE AIRLINE PASSENGER SERVICE TO MODESTO.

WHEREAS, residents of the City of Modesto and of Stanislaus County have enjoyed airline passenger service to San Francisco and Los Angeles for over 30 years, and

WHEREAS, airline passenger enplanements at the Modesto City-County Airport/Harry Sham Field exceeded 56,000 in 1977, and

WHEREAS, the Stanislaus County Air Service Study completed in 1977 projected airline passenger enplanements in excess of 100,000 to Los Angeles alone, and

WHEREAS, the Airline Deregulation Act of 1978 has virtually destroyed passenger airline service into and out of the Modesto City-County Airport/Harry Sham Field, and

WHEREAS, the lack of regular, well-scheduled and reliable airline passenger service for Modesto is inconvenient and frustrating to the residents of the City of Modesto and Stanislaus County and will have an adverse economical impact on the area as a whole and the Modesto City-County Airport/Harry Sham Field in particular, and

WHEREAS, the neighboring county of San Joaquin is also experiencing problems with airline passenger service,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it urges the Civil Aeronautics Board to take all action necessary to restore regular, well-scheduled and reliable airline passenger

service to Modesto's designated essential air service hubs of San Francisco and Los Angeles.

BE IT FURTHER RESOLVED that the Council urges the Stanislaus County Board of Supervisors to join with the City of Modesto in supporting the re-establishment of regular, well-scheduled and reliable airline passenger service to Stanislaus County.

BE IT FURTHER RESOLVED by the Council that it supports San Joaquin County's endeavors to obtain pure jet air service between Stockton and Los Angeles, as long as it in no way compromises Modesto's essential air service to San Francisco and Los Angeles.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1981, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1145

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE TRAFFIC SIGNAL CONTROLLER

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of one traffic signal controller copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on January 12, 1982, at 2:10 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1146

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR SEALING CRACKS IN THE ELEVENTH STREET PARKING GARAGE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for sealing cracks in the Eleventh Street parking garage

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on January 19, 1982, at 2:00 p. m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1147

A RESOLUTION ACCEPTING THE BID OF COLLINS ELECTRICAL TO MODIFY THE TRAFFIC SIGNALS ON BRIGGSMORE AT TULLY AND AT COLLEGE

WHEREAS, Resolution No. 81-976, adopted by the Council of the City of Modesto on November 3, 1981 , approved the plans and specifications for the modifying of traffic signals on Briggsmore at Tully and at College and authorized the calling for bids; and

WHEREAS, the bids received for the modifying of traffic signals on Briggsmore at Tully and at College were opened at 2:00 p.m., December 10, 1981 , and later tabulated by the Director of Traffic Parking and/ for the consideration of the Council; and

WHEREAS, the Director of Traffic Parking and/ has recommended that the bid of Collins Electrical in the amount of $111,711 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Collins Electrical in the amount of $111,711 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December , 1981 , by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1148

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $17,000 FOR MODIFYING THE TRAFFIC SIGNALS ON BRIGGSMORE AT TULLY AND AT COLLEGE

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Fund Reserves (61.10-8911-13)	$17,000
TO:	Briggsmore at Tully and at College Signal Modifications (6999.00)	$17,000

Bids for this project were 15% over estimate. Additional funding is needed to continue this project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** December, 19 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1149

A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE EXTENSION OF HAHN DRIVE TO VENEMAN AVENUE AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of the extension of Hahn Drive to Veneman Avenue has been completed by Lee White Paving Company

in accordance with the contract agreement dated October 13, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of the extension of Hahn Drive to Veneman Avenue be accepted from said contractor, Lee White Paving Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $12,011.76 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 19 81, by Councilmember _____, who moved its adoption, which motion being duly seconded by Councilmember _____, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1150

A RESOLUTION ACCEPTING THE CONSTRUCTION OF STANDIFORD AVENUE - TULLY TO MCHENRY - FAU PROJECT NO. M-F 201(3) AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** Standiford Avenue - Tully to McHenry Avenue **has been completed by** Lee White Paving Company

in accordance with the contract agreement dated June 24, 1980.

NOW, THEREFORE, BE IT RESOLVED that the construction of Standiford Avenue - Tully to McHenry Avenue **be accepted from said contractor,** Lee White Paving Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $420,756.09 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** December, **19**81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1151

A RESOLUTION ACCEPTING THE CONSTRUCTION OF DOWNTOWN ALLEY RECONSTRUCTION - PHASE III AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of downtown alley reconstruction - Phase III has been completed by Lee White Paving Company

in accordance with the contract agreement dated September 1, 1981.

NOW, THEREFORE, BE IT RESOLVED that the construction of downtown alley reconstruction - Phase III be accepted from said contractor, Lee White Paving Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $94,590.59 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1152
AMENDED

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND WESTERN PIPELINE ON THE WEST TRUNK SEWER PROJECT TO PERMIT ACCEPTANCE OF THE FINAL PAYMENT WITHOUT WAIVER OF A $53,000 CLAIM, OR CLAIMS ARISING OUT OF DEDUCTIONS

BE IT HEREBY RESOLVED by the Council of the City of Modesto amended **that the/agreement between the City of Modesto and** Western Pipeline on the West Trunk Sewer Project to permit acceptance of the final payment without waiver of a $53,000 claim, or claims arising out of deductions

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** December, **19**81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1153

A RESOLUTION RESCINDING MODESTO CITY COUNCIL RESOLUTION NO. 81-1115.

WHEREAS, on December 15, 1981, by Resolution No. 81-1115, the City Council approved the report entitled "Revised Service and Bus Yard Expansion Plans (Task Force Report No. 4)," and the site plan and recommendations contained therein, and directed the Director of Planning and Community Development to file a Notice of Determination in regard to the environmental impact of said project, and

WHEREAS, subsequent to the adoption of said Resolution No. 81-1115, the City Council was advised that a timely appeal had been filed with the City Clerk by Lang's Enterprises with respect to the decision of the City of Modesto Environmental Assessment Committee to issue a Negative Declaration regarding the revised service and bus yard expansion, and

WHEREAS, the City Council is required to consider all issues relating to the possible environmental impacts of a project prior to approval of the project and accordingly, the Council deems it appropriate to rescind its approval of the revised service and bus yard expansion plan, until it has considered the appeal of Lang's Enterprises with respect to the decision of the Environmental Assessment Committee to issue a Negative Declaration for said project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Modesto City Council Resolution No. 81-1115 be and is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call

carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1154

A RESOLUTION RESCINDING MODESTO CITY COUNCIL RESOLUTION NO. 81-1116.

WHEREAS, on December 15, 1981, the City Council approved the report entitled "Revised Service and Bus Yard Expansion Plans (Task Force Report No. 4)", and the site plan and recommendations contained therein, and directed the Director of Planning and Community Development to file a Notice of Determination in regard to the environmental impact of said project, and

WHEREAS, on December 15, 1981, by Resolution No. 81-1116, the City Council authorized the filing of an application with the Department of Transportation, United States of America, for a Capital Assistance Grant under Section 3 of the Urban Mass Transportation Act of 1964, as amended, and

WHEREAS, subsequent to the adoption of said Resolution No. 81-1116, the City Council was advised that a timely appeal had been filed with the City Clerk by Lang's Enterprises with respect to the decision of the City of Modesto Environmental Assessment Committee to issue a Negative Declaration regarding the revised service and bus yard expansion, and

WHEREAS, the City Council is required to consider all issues relating to the possible environmental impacts of a project prior to the approval of the project, and prior to a request for capital assistance for said project, and accordingly, the Council deems it appropriate to rescind its authorization for the filing of an application with the Department of Transportation, United States of America, for a Capital Assistance Grant, until it has considered the appeal of Lang's Enterprises with respect to the decision of the Environmental Assessment Committee to issue a Negative Declaration for said project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Modesto City Council Resolution No. 81-1116 be and is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1155

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL ON BEHALF OF LANG'S ENTERPRISES TO A DECISION OF THE CITY'S ENVIRONMENTAL REVIEW COMMITTEE CONCERNING A DECISION THAT NO ENVIRONMENTAL IMPACT REPORT BE REQUIRED FOR THE NEW BUS MAINTENANCE FACILITY AND STORAGE YARD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that January 5, 1982 , at 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal on behalf of Lang's Enterprises to a decision of the City's Environmental Review Committee concerning a decision that no Environmental Impact Report be required for the new bus maintenance facility and storage yard.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** December, 19 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1156

A RESOLUTION REJECTING APPLICATION FOR LEAVE TO PRESENT LATE CLAIM ON BEHALF OF ROBERT ADAMS, RECEIVED IN THE OFFICE OF THE CITY CLERK, CITY OF MODESTO

WHEREAS, an application for leave to present late claim on behalf of the claimant, Robert Adams, against the City of Modesto was received on December 10, 1981, in the Office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the application for leave to present late claim on behalf of claimant, Robert Adams, against the City of Modesto, received on December 10, 1981, in the office of Norrine Coyle, City Clerk, City of Modesto, is hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1981, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1157

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ROBERT NEUGEBAUER FOR THE LEASE OF 5± ACRES OF FUTURE ORCHARD NEIGHBORHOOD PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Robert Neugebauer

for the lease of 5± acres of future Orchard Neighborhood Park

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** December, **19**81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1158

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CLINTON RAY AND MAXINE RAY FOR THE LEASE OF A PORTION OF WELL NO. 2 SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Clinton Ray and Maxine Ray

for the lease of a portion of Well No. 2 site

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** December, **19** 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1159

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE LEAGUE OF WOMEN VOTERS FOR RENTAL OF ROOM 104 IN THE MODESTO COMMUNITY SERVICE CENTER

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the League of Women Voters

for rental of Room 104 in the Modesto Community Service Center

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** December, **19**81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1160
AMENDED

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND THE CENTRAL CALIFORNIA ART LEAGUE TO EXTEND THEIR LEASE FOR A PORTION OF THE MCHENRY MUSEUM

BE IT HEREBY RESOLVED by the Council of the City of Modesto amended **that the/agreement between the City of Modesto and** the Central California Art League for a temporary extension on their lease for a portion of the McHenry Museum, to April 15, 1982

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** December, **19** 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1161

A RESOLUTION ACCEPTING IMPROVEMENTS IN WOODLAND ESTATES SUBDIVISION AND AUTHORIZING RELEASE OF SAVINGS AND LOAN CERTIFICATES

WHEREAS, Guarantee Savings and Loan Association , subdividers of Woodland Estates Subdivision , have filed savings and loan certificates for faithful performance and labor and materials in the amount of $579,500.00 and $ 289,750.00 respectively to guarantee improvements in Woodland Estates Subd. ; and

WHEREAS, the Director of Public Works in a memorandum dated December 16, 1981, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the savings and loan certificates upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Woodland Estates Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the savings and loan certificate / for faithful performance in the amount of $ 579,500.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the savings and loan certificate / for labor and materials in the amount of $ 289,750.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December , 19 81 by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1162

A RESOLUTION INITIATING PROCEEDINGS FOR THE PROPOSED ANNEXATION OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS BYRON-EMERALD ANNEXATION TO THE CITY OF MODESTO AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO. (PETITION INITIATED)

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by the owners of real property within territory in the County of Stanislaus requesting annexation of the Byron-Emerald Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by resolution dated December 9, 1981, determined that said territory is uninhabited and approved the initiation of proceedings for annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code, a copy of which resolution is attached hereto as Exhibit A and made a part hereof by reference, and

WHEREAS, the terms and conditions of the proposed annexation, if any, are set forth in said resolution, and

WHEREAS, the reason or reasons for the proposed annexation in the proposal thereof submitted to the Commission are set forth in page 5 of the application, which page is attached hereto as Exhibit B and made a part hereof by reference, and

WHEREAS, the chief petitioners requesting said annexation as set forth in the application filed with the Commission are:

Name	Address
Mr. & Mrs. Jack Reeves	316 S. Emerald Avenue, Modesto
Michael A. Saso	324 S. Emerald Avenue, Modesto
Adele Brown c/o Watts Enterprises	3000 Elm Avenue Manhatten Beach, CA 90266

and

WHEREAS, the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situated in the County of Stanislaus, State of California, and has been designated as _____ Byron-Emerald Annexation to the City of Modesto _____, the exterior boundaries of which are set forth in the description attached hereto as Exhibit C and made a part hereof by reference, and

WHEREAS, no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described territory to the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED AND NOTICE IS HEREBY GIVEN that the 19th day of January, 1982, at the hour of 4:00 o'clock P.M. in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto be and is hereby fixed as the time and place for considering said annexation, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed.

1. Any such protest must be in writing, must be filed with the City Clerk at any time before the conclusion of the hearing on the proposed annexation, and must give the name and address of the owner of real property within such territory with the description and area of such property, in general terms.

2. The City Clerk shall cause a copy of this resolution to be published at least twice, but not more often than once a week in The Modesto Bee, a newspaper

of general circulation, published in the City of Modesto and in the County of Stanislaus and being the official newspaper of the City of Modesto. Said publications shall be commenced at least fifteen (15) days prior to the date set for the hearing.

3. The City Clerk of the City of Modesto shall also cause a copy of this resolution to be mailed to:

(a) Any person who has filed his name and address with the City Clerk and has requested such mailed notice;

(b) The chief petitioners, if any, as indicated in the petition initiating proceedings;

(c) To each affected city, county, and district; and

(d) To the executive officer of the Local Agency Formation Commission.

4. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

FORMATION COMMISSION

RESOLUTION

Date: DECEMBER 9, 1981 No. 81-61

Subject: BYRON-EMERALD ANNEXATION TO THE CITY OF MODESTO

On motion of Commissioner Cannella, Seconded by Commissioner Garcia, and approved by the following vote,
Ayes: Commissioners: Cannella, Garcia and Condit
Noes: Commissioners: --
Absent: Commissioners: Draper and Starn
Disqualified: Commissioners: Muratore and Ulm
Abstaining: Commissioners: --

THE FOLLOWING RESOLUTION WAS ADOPTED:

WHEREAS, the Commission has conducted a public hearing on the proposed Byron-Emerald Annexation to the City of Modesto.

WHEREAS, notice of the said public hearing was given pursuant to Section 35055 of the California Government Code; and

WHEREAS, the Commission has, in evaluating the proposal, considered the report submitted by the Executive Officer and the factors set forth in Section 54796 of the California Government Code;

NOW, THEREFORE, BE IT RESOLVED that the Commission:

1. Find that: (a) the territory involved in the proposal is uninhabited; (b) the proposal is consistent with all applicable local general plans; and (c) the territory involved is within an area that is committed to urbanization;

2. Designate the proposal as the Byron-Emerald Annexation to the City of Modesto;

3. Approve the proposal as submitted; and

4. Designate the City of Modesto as the conducting authority, and direct its city council to initiate annexation proceedings.

I hereby certify that the foregoing is a true and correct copy of a document on file in my office.

GARDNER L. HUTCHINS
Executive Officer, Stanislaus County
Local Agency Formation Commission

By ..... Deputy

Exhibit "A"

proposed for annexation.
316 S. Emerald Avenue - Modesto, California
324 S. Emerald Avenue - Modesto, California

IX. JUSTIFICATION OF THE PROPOSAL

Please state the reason(s) the proponents have submitted the application, and explain why it should be approved.

The proponents wish to annex in order to split their parcel and receive City services.

Exhibit "B"

CITY OF MODESTO

BYRON-EMERALD ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the most Southwesterly corner of the MacDANNALD ADDITION (124), as per description filed January 9, 1962, as Instrument 994, Stanislaus County Records;

1. thence along the existing City Limits on a Western line of said ADDITION (124), North 00° 11' 30" West, 163.62 feet;

2. thence continuing along the existing City Limits on a Southern line of said ADDITION (124), North 89° 47' West, 290.00 feet, to a point on an Eastern line of the MARK TWAIN ADDITION (70), as per description filed June 22, 1956, as Instrument 17230, Stanislaus County Records;

3. thence continuing along the existing City Limits on an Eastern line of said ADDITION (70), South 00° 11' 30" East, 163.62 feet;

4. thence leaving the existing City Limits on the Westerly extension of the Southern line of said ADDITION (124), South 89° 47' East, 290.00 feet, to the point of beginning, containing 1.089 Acres, more or less.

Exhibit "C"

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1163

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $7,000 FROM THE MCHENRY MANSION RESERVE TO THE MCHENRY MANSION RESTORATION ACCOUNT FOR THE COMPLETION OF THE MILLWORK

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	McHenry Mansion Reserve (61-04 8911 18)	$7,000
TO:	McHenry Mansion Restoration (6276.00 7101 18)	$7,000

These funds are necessary for the completion of the woodwork in the back parlor, library and office reception rooms.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** December, 19 81, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1164

A RESOLUTION AMENDING SECTION 13.4 OF THE PERSONNEL RULES RELATING TO ADVANCING VACATION LEAVE.

WHEREAS, Section 1202 of Article XII of the Charter of the City of Modesto provides that the Personnel System provided by said Article shall be implemented by such rules and regulations governing the administration thereof as are adopted by the City Council upon recommendation of the City Manager, and

WHEREAS, the City Council has adopted Personnel Rules as authorized by the City Charter, and

WHEREAS, the City Manager has recommended an amendment to Section 13.4 of said Personnel Rules relating to advancing vacation leave, and

WHEREAS, the City Council has reviewed said amendment to Section 13.4 of the Personnel Rules and finds that said proposed amendment promotes the purpose and objectives of the Personnel System,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That Section 13.4 of the Personnel Rules be amended to read as set forth on Exhibit "A" attached hereto and which by this reference is made a part hereof as though set forth in full herein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1981, by

Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

13.4 Vacations

(a) Effective July 1, 1979, vacation leave shall be accrued according to the following schedule:

(1) For employees in the classifications of Fire Fighter, Fire Engineer, and Fire Lieutenant, except those employees in the said classifications working a forty hour work week, the following vacation schedule shall apply:

Years of Continuous Service After Hire Date	24-HOUR SHIFTS Earned Annually	Accrual Per Month
During 1st - 5th	6	1/2
During 6th - 15th	9	3/4
During 16th - thereafter	12	1

(2) For those employees in the classification of Fire Battalion Chief, except those employees in said classification working a forty-hour week, the following vacation schedule shall apply:

Years of Continuous Service After Hire Date	Earned Annually
During 1st - 5th	6 shifts
During 6th - 10th	9 shifts
During 11th - 20th	12 shifts
During 21st - thereafter	15 shifts

(3) For employees working a forty-hour week in the classifications of Fire Fighter, Fire Engineer and Fire Lieutenant, the following vacation schedule shall apply:

Years of Continuous Service After Hire Date	WORK DAYS Earned Annually	Accrual Per Month
During 1st - 5th	10	10/12
During 6th - 15th	15	15/12
During 16th - thereafter	20	20/12

(4) For employees in the classifications of Police Officer and Detective, the following vacation schedule shall apply until December 31, 1979:

Years of Continuous Service After Hire Date	WORK DAYS Earned Annually	Accrual Per Month
During 1st - 5th	10	10/12
During 6th - 15th	15	15/12
During 16th - thereafter	20	20/12

(5) For all other employees, including Police Officers and Detectives effective January 1, 1980, the following vacation schedule shall apply:

Years of Continuous Service After Hire Date	Work Days Earned Annually	Work Hours Earned Annually
During 1st - 5th	10	80
During 6th - 10th	15	120
During 11th - 20th	20	160
21st and thereafter	25	200

(b) Vacation credit allowance will be accrued by each City employee from the date of his employment; however, no vacation credit will be considered earned until after one year of continuous service. Employees who terminate with less than one year of service will not be eligible for regular vacation benefits.

(c) During the first two years of employment, an employee may use only the amount of vacation leave accrued at the time vacation begins. During the third and subsequent years, for scheduling purposes, annual vacation accrual may be credited in advance and may be used during the year although all of such leave may not be earned at the time vacation begins.

(d) Part-time employees working half-time or more shall be eligible for proportional vacation leave benefits.

(e) If a paid holiday falls during an employee's vacation, it shall not be charged against vacation leave.

(f) Vacations shall be scheduled by the department head, with due regard for the wishes of the employee and with particular regard for the needs of the City.

(g) After one year of service, each employee will be expected to take during each year the vacation to which he/she is entitled. Accumulation of unused vacation leave shall not exceed twice the employee's yearly allowance except when the Director of Personnel deems it to be in the best interest of the City to allow additional unused vacation leave to be accumulated. (amended 12-74)

(h) In the event of termination of City employment of any person who has taken vacation leave prior to the time all of said vacation leave is earned, said employee shall be required to make restitution to the City for that portion of said vacation leave taken, but remaining unearned on the date of termination of his/her employment. Employees separating from the City service after one year of continuous service shall be paid for unused vacation leave credit.

(i) For the purpose of this section, a year shall be construed to mean the time period beginning the first day of the first full payroll period in a calendar year and ending on the last day of the payroll period immediately preceeding the first full payroll period in the following calendar year.

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1165

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR STANDIFORD AVENUE NO. 3 GOVERNMENTAL REORGANIZATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for Standiford Avenue No. 3 Governmental Reorganization Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City MODESTO

2. Name of Proposed Annexation STANDIFORD AVENUE NO.3 GOVERNMENTAL REORGANIZATION

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

YES

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

NO

5. Other comments the city would like to make.

THIS ANNEXATION IS TO CORRECT AN ERROR IN A PREVIOUS ANNEXATION (CONANT NO.1 7/27/72) WHERE WE FAILED TO ANNEX A PORTION OF A PROPERTY (APN: 5-27-28). THIS LEFT A 60-FOOT WIDE STRIP REMAINING IN THE COUNTY. THEREFORE, WE ARE NOW ANNEXING IT.

M E M O R A N D U M

Date: December 15, 1981

TO: City Manager

FROM: Director of Planning and Community Development

SUBJECT: PROPOSED STANDIFORD AVENUE NO.3 GOVERNMENTAL REORGANIZATION

Boundaries: See attached map

Type of Annexation: UNINHABITED

Size of Annexation: 1.300 ACRES

Elementary School District: STANISLAUS UNION ELEMENTARY SCHOOL DISTRICT

Response of School District: NOT OPPOSED

Fire District: WOODLAND AVENUE

Distance From Nearest City Fire Station: 1/4 MILE TO STATION NO.6

Current Land Use: PORTION OF A WALNUT ORCHARD

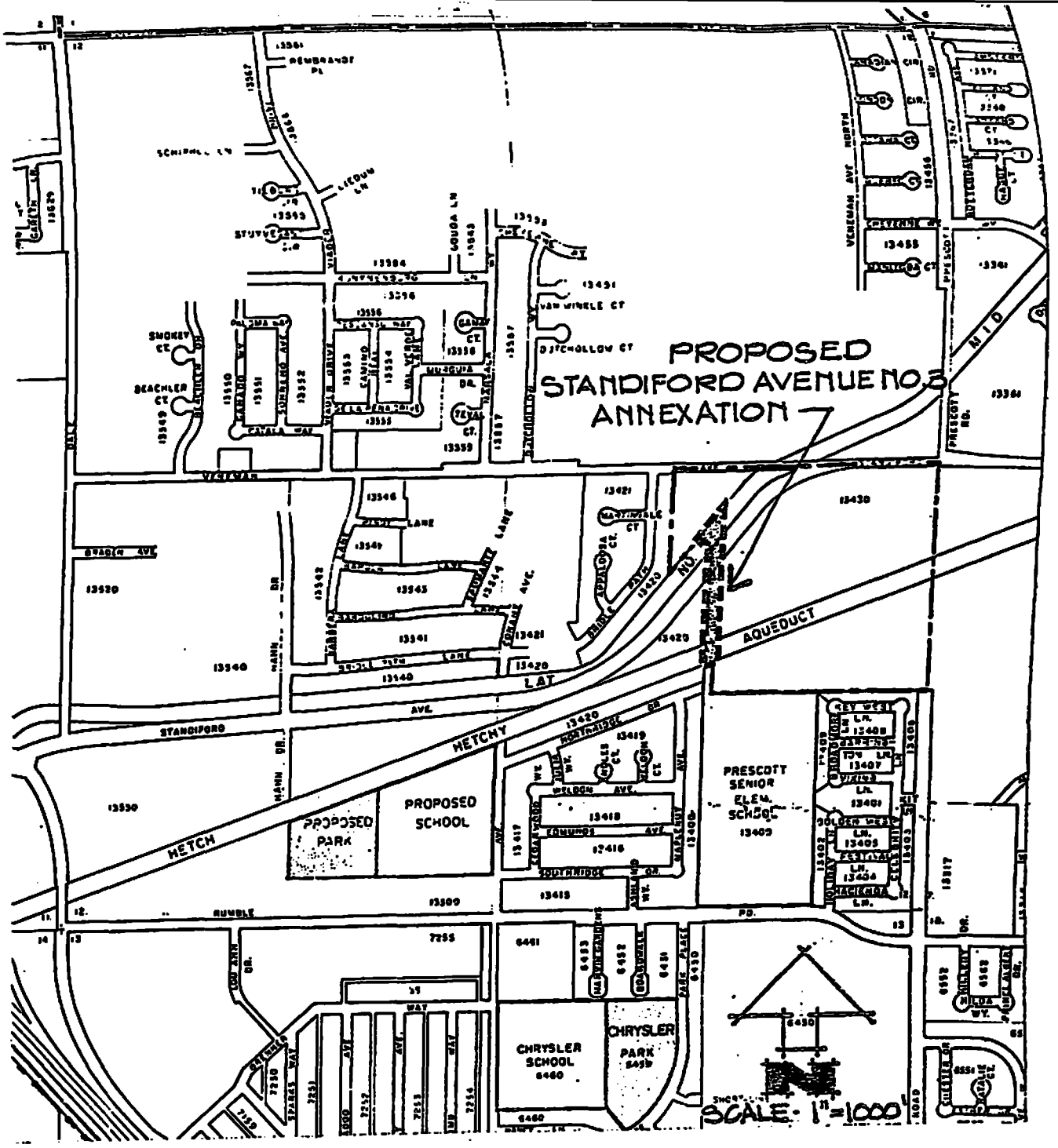
Anticipated Land Use: PORTION OF A STANISLAUS COUNTY HOUSING AUTHORITY 36-UNIT, LOW-RENT HOUSING PROJECT (P-D 270)

Water and Sanitary Sewer Service Availability: WATER AND CITY SANITARY SEWER WILL BECOME AVAILABLE AFTER ANNEXATION.

The Planning staff believes that the proposed annexation can be served by all City services and is consistent with the City's annexation policy. It is recommended that the Council adopt a resolution supporting the proposed annexation for submission to the Local Agency Formation Commission. The completed LAFCO questionnaire is attached.

William S. Nichols

WSN/BH:wpc
Attachment
180/000-00020-3/12/79R



PROPOSED

STANDIFORD AVENUE NO. 3

GOVERNMENTAL REORGANIZATION

TO THE CITY OF MODESTO

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1166

A RESOLUTION AUTHORIZING THE DISPOSAL OF SURPLUS WOOD.

WHEREAS, the City of Modesto accumulates, from time to time, surplus wood as a result of tree-trimming and removal activities conducted by the City, and

WHEREAS, the wood accumulates from time to time in various quantities for which the City has no use, and

WHEREAS, said wood has a market value and should be disposed of for the benefit of the City, and

WHEREAS, the market for this commodity fluctuates, and

WHEREAS, Section 801 of the City Charter authorizes the City Manager to sell surplus property of the City with the approval of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The City Manager is hereby authorized, from time to time, to dispose of such surplus wood that the City may accumulate for which it has no use. Said surplus wood shall be disposed of by sale, if possible, at the best available market price.

SECTION 2. The City Manager shall report any sale of surplus wood to the City Council within fifteen (15) days after the completion of the sale. Such report shall include the date of sale, the amount of surplus wood sold, the person or firm to whom it was sold and the sale price.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 19 81,

by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1167

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan for the City of Modesto was adopted by Modesto City Council Resolution No. 67-77 pursuant to Rule 2 of the Personnel Rules and Regulations of the City of Modesto, and

WHEREAS, the City Manager has recommended to the Council an amendment to the Position Classification Plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that revisions to the Classification Plan shall be effective upon adoption of resolution of the City Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. CLASSIFICATIONS CREATED. The Position Classification Plan of the City of Modesto is amended to create two new classifications as follows:

Industrial Waste Inspector I

Industrial Waste Inspector II

The specifications for the classifications created, as shown on the attached Exhibit "A", which is hereby made a part of this resolution by reference, are hereby approved and made a part of the Position Classification Plan of the City of Modesto.

SECTION 2. CLASSIFICATION AMENDED. The Position Classification Plan of the City of Modesto is hereby amended to amend the specification for the following classification, as shown on Exhibit "B", which is attached hereto and

hereby approved and made a part of the Position Classification Plan for the City of Modesto:

Risk Management Technician

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

~~INDUSTRIAL WASTE INSPECTOR I~~
INDUSTRIAL WASTE INSPECTOR II

DEFINITION

Under general supervision, to inspect firms for compliance with City codes and ordinances regulating industrial and commercial waste processes, procedures, equipment, and discharge requirements; to make cost analyses regarding charges for sewer services; to monitor sewer systems for dangerous conditions and to do related work as required.

DISTINGUISHING CHARACTERISTICS

Industrial Inspector I and II are distinguished by the Industrial Waste Inspector II performing duties at the fully qualified working level. When the employee passes an Industrial Waste Inspector Grade II Certificate, and his/her employment history shows eighteen (18) months of satisfactory performance as an Industrial Waste Inspector I, then he/she will be promoted to Industrial Waste Inspector II.

EXAMPLES OF DUTIES

Inspects the dimensions, operations, and maintenance of drains, traps, tanks, and other equipment used in the control of and removal of industrial wastes; checks volume, content, and temperature of industrial waste discharge for compliance with regulations and quality standards; authorizes changes in processes and issues citations for violations; discusses conformance problems with industrial managers and others; investigates complaints; investigates and compiles information for issuance of industrial waste permits; inspects water courses for pollution; checks for explosive gas in sewers and storm drains; makes sewer service charge analyses; performs laboratory tests for pH, dissolved oxygen, BOD, settable solids, and temperature in analysis of industrial wastes; maintains a variety of records and reports.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

Incumbents in the class of Industrial Waste Inspector II will be required to file a Statement of Economic Interests.

A person appointed as a level II inspector must possess an Industrial Waste Inspector Grade II Certificate. A person appointed as a level I inspector must possess an Industrial Waste Inspector Grade I, Wastewater Treatment Operator II, or Laboratory Technician Certificate. After a person is appointed to a level I inspector, an Industrial Waste Inspector Grade II Certificate from the California Pollution Control Association, as issued through procedures established by the Association, must be obtained no later than eighteen (18) months from the date of appointment. Failure to obtain such Grade II certificate will constitute grounds for dismissal from City service.

EMPLOYMENT STANDARDS

Knowledge of:

Sewage treatment processes;
Codes, ordinances, and regulations applicable to the monitoring of industrial wastes;
Operation and maintenance of equipment used for the monitoring and control of industrial wastes;
Procedures and materials used in chemical, biochemical, and bacteriological laboratory tests and analyses;
Laboratory safety procedures;
Methods and procedures in monitoring sewer systems;
Methods and procedures used in arriving at commercial charges for sewer services.

and

Ability to:

For Industrial Waste Inspector I:

Perform routine chemical and biochemical laboratory tests and draw sound conclusions;
Monitor sewer systems for dangerous conditions;
Tactfully enforce codes, ordinances, and other regulations applicable to industrial waste control;
Prepare reports and keep a variety of records;
Establish and maintain cooperative relationships with those contacted during the course of work.

For Industrial Waste Inspector II:

All of the above abilities, plus effectively monitor, control, and establish appropriate charges for commercial users of sewage services.

MINIMUM QUALIFICATIONS

Experience:

For Industrial Waste Inspector I:

Three (3) years of full-time experience in a wastewater treatment plant.

For Industrial Waste Inspector II:

Eighteen (18) months as an Industrial Waste Inspector I with the City of Modesto.

or

Two (2) years comparable experience as a full time industrial waste inspector in a public agency and possession of an Industrial Waste Inspector Grade II Certificate.

DEFINITION

Under general supervision, to perform technical work in the areas of risk management insured and self-insured employee benefits administration, including but not limited to, Workers' Compensation administration, Public Liability claims, Safety and Loss Prevention, employee dental insurance, health insurance, life insurance, and other related work as required.

EXAMPLES OF DUTIES

Performs technical assignments in the City's insurance programs; conducts special surveys and projects; gathers and analyzes information for risk management; prepares various studies; answers questions on the status of Workers' Compensation and Public liability claims; prepares necessary forms and routine reports; acts as liaison with the City's Workers' Compensation and/or medical, dental, and life insurance administrators; gives information to City employees regarding rules, regulations and procedures, including Workers' Compensation, Public Liability, Safety and Loss Prevention, Dental, Health, and Life insurance; prepare damage reports and billings on recovery of damages; obtains and distributes a wide variety of safety materials.

SPECIAL REQUIREMENTS

License: Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

Probation: All those appointed shall complete a twelve (12) month probation. Satisfactory performance and recommendation of the department head is required for regular status.

EMPLOYMENT STANDARDS

Knowledge of:

Principles of insurance and claims handling in a governmental agency;
Principles of safety and loss prevention;
Medical technology;
City of Modesto personnel rules and administrative orders;
Arithmetic, basic accounting;
English usage, spelling, grammar, and punctuation.
Basic statistical methods;
Modern office practices and procedures, especially as they relate to record maintenance and document processing;

and

Ability to:

Meet and communicate with the public;
Interpret rules, laws and policies and apply them with good judgment;
Perform technical work in the area of risk management, involving Workers' Compensation, Public liability, Safety and Loss prevention, Dental, Health, and Life insurance;

Compile and analyze information regarding existing procedures;
Express ideas clearly and concisely in oral and written communications;
Initiate correspondence and telephone communications concerning routine decisions;
Schedule time and work under pressure;
Adapt with flexibility to change;
Perform job duties in a manner assuring a safe working environment for oneself and others;
Work with and control sensitive confidential information on assignment;
Establish and maintain effective working relationships with the general public, co-workers, supervisors, and members of diverse cultural and linquistic backgrounds, regardless of race, creed, color, religion, sex, age or handicap.

and

Experience:

Two (2) years full-time experience in Risk Management, Employee Benefits administration, Workers' Compensation, or Insurance claims/loss control office.

Two or more years completed at an accredited college or university (sixty (60) semester or ninety (90) quarter units) may be substituted for one year of the required experience provided that there were courses in industrial or safety engineering, insurance, loss control administration, industrial psychology or employee group insurance benefits administration.

wpc
12/15/81

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1168

A RESOLUTION AMENDING EXHIBIT "F" OF RESOLUTION NO. 81-553 ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE."

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. AMENDMENT TO RESOLUTION NO. 81-553. Exhibit "F" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1981-82" attached to Resolution No. 81-553, is hereby amended as shown on the amended Exhibit "F" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1981-82", which is attached hereto and made a part hereof as though set forth in full herein. Said amended Exhibit "F" deletes the classification of Industrial Waste Inspector from Range 125.0 and adds the classification of Industrial Waste Inspector I to Range 122.0, and adds the classification of Industrial Waste Inspector II to Range 125.0.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1981, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CITY OF MODESTO
ALPHABETICAL LISTING OF CLASSIFICATIONS IN CITY SERVICE
1981-82
(Effective 6-30-81, Amended 7-21-81, 9-15-81, 11-24-81, 12-22-81)

Range No.	Title of Classification
111.5	Account Clerk I
114.5	Account Clerk II
116.5	Account Clerk III
119.5	Account Clerk IV
426.0	Accountant
433.0	Accounting Administrator
426.0	Administrative Analyst
422.0	Administrative Assistant
426.5	Administrative Assistant (Parking & Traffic)
429.0	Airport Manager
424.5	Airport Maintenance Supervisor
116.5	Animal Control Officer I
118.5	Animal Control Officer II
426.5	Arborist
122.0	Assistant Building Inspector
426.0	Assistant Chief Electrician
633.0	Assistant Chief of Police
432.0	Assistant City Attorney I
434.0	Assistant City Attorney II
420.5	Assistant City Clerk
429.0	Assistant Civil Engineer
433.0	Assistant Director of Parks & Recreation
436.0	Assistant Director of Public Works
122.5	Assistant Electrician
426.0	Assistant Planner
428.0	Assistant Property Agent
427.0	Assistant Risk Manager
426.0	Assistant Shop Supervisor
122.0	Assistant Zoning Inspector
432.0	Associate Civil Engineer
429.0	Associate Planner

Range No.	Title of Classification
426.0	Budget Accountant
125.0	Building Inspector
426.5	Building Maintenance Supervisor
120.5	Building Maintenance Worker
122.5	Building Maintenance Leadworker
433.0	Chief Building Official
429.0	Chief Electrician
N/A	Chief of Police
426.5	Chief of Survey Party
N/A	City Attorney
N/A	City Clerk and Auditor
N/A	City Manager
117.5	Civil Engineering Technician I
120.5	Civil Engineering Technician II
123.5	Civil Engineering Technician III
126.5	Civil Engineering Technician IV
124.0	Coach Mechanic
120.5	Community Service Officer
119.5	Computer Operator
125.0	Construction Inspector
427.0	Cost Analyst
123.0	Crime Analyst
430.0	Data Processing Manager
427.0	Deputy City Attorney I
429.0	Deputy City Attorney II
312.0	Detective
N/A	Director of Finance
N/A	Director of Management Services
N/A	Director of Parking and Traffic
N/A	Director of Parks and Recreation
N/A	Director of Planning and Community Development
N/A	Director of Public Works and City Engineer

Range No.	Title of Classification
120.5	Electrical Technician
118.5	Electrical Trainee
124.5	Electrician
126.0	Engineering Computer Programmer
122.0	Equipment Mechanic
120.5	Equipment Operator
119.0	Equipment Service Worker
118.5	Evidence and Property Specialist
120.5	Financial Specialist
529.0	Fire Battalion Chief
N/A	Fire Chief
211.0	Fire Engineer
210.0	Fire Fighter
213.0	Fire Lieutenant
120.5	Fire Prevention Technician
122.5	Heavy Equipment Operator
120.5	Housing Conservationist
432.0	Housing Program Officer
122.0	Industrial Waste Inspector I
125.0	Industrial Waste Inspector II
116.5	Janitor
123.0	Junior Accountant
126.0	Junior Civil Engineer
123.0	Junior Planner
114.5	Keypunch Operator
122.5	Laboratory Technician
113.5	Laborer (Unclassified)
426.0	Landscape Designer
125.0	Lead Coach Mechanic
123.0	Lead Equipment Mechanic
416.5	Legal Secretary I
418.5	Legal Secretary II
113.5	Maintenance Worker Trainee
116.5	Maintenance Worker
429.0	Management Assistant
122.5	Mechanic/Treatment Plant
424.5	Mechanical Maintenance Supervisor/ Treatment Plant
112.5	Microfilm and Graphics Technician I
115.5	Microfilm and Graphics Technician II
120.5	Motor Sweeper Operator
424.0	Museum Supervisor
122.5	Nursery Propagator
106.5	Office Aide I
109.5	Office Aide II
113.5	Office Services Clerk
122.5	Office Services Supervisor
122.5	Parking and Traffic Leadworker
120.5	Parking and Traffic Maintenance Worker
122.5	Parks Maintenance Leadworker
424.5	Parks Maintenance Supervisor I
426.5	Parks Maintenance Supervisor II
118.5	Parks Maintenance Worker I
120.5	Parks Maintenance Worker II
429.0	Parks Superintendent
432.0	Personnel Manager
420.5	Personnel Technician
126.0	Plan Review Engineer I
426.0	Plan Review Engineer I (MGT)
117.5	Planning Technician I
120.5	Planning Technician II
123.5	Planning Technician III
632.0	Police Captain
113.5	Police Clerk
630.0	Police Lieutenant
308.0	Police Officer (Trainee Step)
310.0	Police Officer
425.0	Police Records Supervisor

Range No.	Title of Classification
628.0	Police Sergeant
115.5	Printing Services Operator I
118.5	Printing Services Operator II
123.0	Programmer
426.0	Programmer Analyst
430.0	Property Agent
427.0	Public Services Officer
122.0	Public Services Inspector
106.5	Public Services Trainee
122.5	Public Works Leadworker
118.5	Public Works Maintenance Worker I
120.5	Public Works Maintenance Worker II
424.5	Public Works Supervisor I
426.5	Public Works Supervisor II
120.5	Pump Maintenance Worker
122.0	Purchasing Assistant I
124.0	Purchasing Assistant II
430.0	Purchasing Officer
117.5	Recreation Program Supervisor
429.0	Recreation Superintendent
426.0	Recreation Supervisor
125.0	Rehabilitation Specialist
430.0	Risk Manager
417.5	Risk Management Technician
116.5	Secretary I
416.5	Secretary I (Conf.)
418.5	Secretary II
420.5	Secretary to the City Attorney
421.5	Secretary to the City Manager
428.0	Senior Accountant
126.5	Senior Building Inspector
416.5	Senior Personnel Clerk
423.5	Senior Personnel Technician
432.0	Senior Planner
428.0	Senior Rehabilitation Specialist
429.0	Shop Supervisor
123.5	Social Services Coordinator
423.5	Social Services Coordinator (MGT)
114.5	Stenographer Clerk
118.5	Storeskeeper I
120.5	Storeskeeper II
120.5	Street Trees Maintenance Worker II
428.0	Supervising Building Inspector
428.0	Supervising Construction Inspector
113.5	Telephone Operator-Receptionist
429.0	Transit Manager
120.5	Tree Trimmer I
122.5	Tree Trimmer II
109.5	Typist Clerk I
409.5	Typist Clerk I (Conf.)
111.5	Typist Clerk II
411.5	Typist Clerk II (Conf.)
113.5	Typist Clerk III
413.5	Typist Clerk III (Conf.)
424.5	Warehouse Supervisor
118.5	Wastewater Treatment Plant Attendant
120.5	Wastewater Treatment Plant Operator I
122.5	Wastewater Treatment Plant Operator II
426.5	Wastewater Treatment Plant Supervisor
432.0	Water Quality Control Superintendent
125.0	Water System Inspector
418.5	Word Processing Supervisor
114.5	Word Processing Technician I
116.5	Word Processing Technician II
113.5	Word Processing Trainee
425.0	Zoning Inspector

Totals: 11 City Manager, Department H
178 Other

189

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1169

A RESOLUTION CONSENTING TO THE TRANSFER OF A CATV FRANCHISE

WHEREAS, Cablecom-General of Modesto, Inc. ("Cablecom Modesto"), a subsidiary of Cablecom-General, Inc. ("Cablecom"), holds a franchise to operate a community antenna television system in the City of Modesto, California, (the "Franchise"), and

WHEREAS, Cablecom Modesto has requested consent to the transfer of the Franchise from Cablecom Modesto to Cablecom and to the subsequent transfer of the Franchise by Cablecom to Capital Cities Cable of Delaware, Inc. ("CC of Delaware"), and

WHEREAS, the City Council has been furnished information relating to the proposed transfers, and

WHEREAS, after consideration of said request and information, the City Council has determined that it is appropriate to consent to the proposed transfers,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby consents to the proposed transfer of the Franchise from Cablecom Modesto to Cablecom; said consent shall be effective at such time as Cablecom shall have filed with the City Clerk written acceptance of the Franchise and an agreement to be bound by and comply with all of the terms and conditions of the Franchise and of Chapter 4 of Title XI of the Modesto Municipal Code and delivers to the City Clerk the bond and insurance policies required to be furnished pursuant to the provisions of Chapter 4 of Title XI of the Modesto Municipal Code.

BE IT FURTHER RESOLVED that the Council hereby consents to the

proposed transfer of the Franchise from Cablecom to CC of Delaware; said consent shall be effective at such time as CC of Delaware shall have filed with the City Clerk written acceptance of the Franchise and an agreement to be bound by and comply with all of the terms and conditions of the Franchise and of Chapter 4 of Title XI of the Modesto Municipal Code and delivers to the City Clerk the bond and insurance policies required to be furnished pursuant to the provisions of Chapter 4 of Title XI of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 19 81, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1170

RE-
A RESOLUTION/APPOINTING MEMBER OF THE BOARD OF BUILDING APPEALS (WILLIAM VLACH)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby re-appointed to the Board of Building Appeals for the respective term as indicated:

William H. Vlach
404 W. Orangeburg Ave.
Modesto, Ca. 95353
Term to expire 12/31/85

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly re-appointed member of the Board of Building Appeals and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1171

RE-
A RESOLUTION/APPOINTING MEMBER OF THE BOARD OF ZONING ADJUSTMENT (GORDON HART)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby re-appointed to the Board of Zoning Adjustment for the respective term as indicated:

Gordon M. Hart
603 Myrtle Avenue
Modesto, Ca. 95350
Term to expire 12/31/85

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly re-appointed member of the Board of Zoning Adjustment and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1981, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1172

RE-
A RESOLUTION/APPOINTING MEMBER OF THE CULTURE COMMISSION (RICHARD BELT)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby re-appointed to the Culture Commission for the respective term as indicated:

Richard Belt
410 Fleetwood Drive
Modesto, Ca. 95350
Term to expire 12/31/85

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly re-appointed member of the Culture Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1173

RE-
A RESOLUTION /APPOINTING MEMBER OF THE HUMAN RELATIONS COMMISSION
(HELEN WHITE)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby re-/appointed to the Human Relations Commission for the respective term as indicated:

Helen White
c/o Stanislaus County Housing Authority
1701 Robertson Road
Modesto, Ca. 95351
Term to expire 12/31/85

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly re-/appointed member of the Human Relations Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 81-1174

RE-
A RESOLUTION /APPOINTING MEMBERS OF THE PLANNING COMMISSION (BALVINO IRIZARRY AND CAL PURVIANCE)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person s / are hereby re-/appointed to the Planning Commission for the respective term as indicated:

Balvino Irizarry 1341 Sharonwood Drive Modesto, Ca. 95355	Cal Purviance 3328 Claremont Street Modesto, Ca. 95350
Term expires 12/31/85	Term expires 12/31/85

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly/re-appointed members of the Planning Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 19 81, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk